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Volume 18, Issue 29— July 22, 1994

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INTRODUCTION

The Illinois Register is the official state document for publishing public notice of rulemaking activity by State governmental agencies. The table of contents is arranged categorically by rulemaking activity and alphabetically by agency within each category. Rulemaking activity consists of proposed or adopted new rules or amendments to or repealers of existing rules, including those by emergency or peremptory action.

The *Register* also contains Executive Orders and Proclamations issued by the Governor, notices of public information required by State statute, and activities (meeting agendas, Statements of Objection or Recommendation, etc.) of the Joint Committee on Administrative Rules (JCAR), a legislative oversight committee which monitors the rulemaking activities of State agencies. In addition, the *Register* contains a Cumulative Index listing alphabetically by agency the Parts (sets of rules) on which rulemaking activity has occurred in the current *Register* volume and a Sections Affected Index listing, by Title of the *Illinois Administrative Code*, each Section (including supplementary material) of a Part on which rulemaking activity has occurred in the current volume. Both indices are action coded and are designed to aid the public in monitoring rules.

The *Register* will serve as the update to the *Illinois Administrative Code*, a compilation of the rules of State agencies. The most recent edition of the *Code* along with the *Register* comprise the most current accounting of the State agencies' rules.

The *Illinois Register* is the property of the State of Illinois, granted by the authority of the Illinois Administrative Procedure Act [5 ILCS 100/1-1 et seq.].

REGISTER PUBLICATION SCHEDULE 1994

Material Rec'd after 12:00 p.m. on:	And before 12:00 p.m. on:	Will be in Issue #:	Published on:	Material Rec'd after 12:00 p.m. on:	And before 12:00 p.m. on:	Will be in Issue #:	Published on:
Dec. 21, 1993	Dec. 28, 1993	1	Jan. 7, 1994	June 28, 1994	July 5, 1994	28	July 15, 1994
Dec. 28, 1993	Jan. 4, 1994	2	Jan. 14, 1994	July 5, 1994	July 12, 1994	29	July 22, 1994
Jan. 4, 1994	Jan. 11, 1994	3	Jan. 21, 1994	July 12, 1994	July 19, 1994	30	July 29, 1994
Jan. 11, 1994	Jan. 18, 1994	4	Jan. 28, 1994	July 19, 1994	July 26, 1994	31	Aug. 5, 1994
Jan. 18, 1994	Jan. 25, 1994	5	Feb. 4, 1994	July 26, 1994	Aug. 2, 1994	32	Aug. 12, 1994
Jan. 25, 1994	Feb. 1, 1994	6 (Mon.)	Feb. 14, 1994	Aug. 2, 1994	Aug. 9, 1994	33	Aug. 19, 1994
Feb. 1, 1994	Feb. 8, 1994	7	Feb. 18, 1994	Aug. 9, 1994	Aug. 16, 1994	34	Aug. 26, 1994
Feb. 8, 1994	Feb. 15, 1994	8	Feb. 25, 1994	Aug. 16, 1994	Aug. 23, 1994	35	Sept. 2, 1994
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Mar. 8, 1994	Mar. 15, 1994	12	Mar. 25, 1994	Sept. 13, 1994	Sept. 20, 1994	39	Sept. 30, 1994
Mar. 15, 1994	Mar. 22, 1994	13	Apr. 1, 1994	Sept. 20, 1994	Sept. 27, 1994	40	Oct. 7, 1994
Mar. 22, 1994	Mar. 29, 1994	14	Apr. 8, 1994	Sept. 27, 1994	Oct. 4, 1994	41	Oct. 14, 1994
Mar. 29, 1994	Apr. 5, 1994	15	Apr. 15, 1994	Oct. 4, 1994	Oct. 11, 1994	42	Oct. 21, 1994
Apr. 5, 1994	Apr. 12, 1994	16	Apr. 22, 1994	Oct. 11, 1994	Oct. 18, 1994	43	Oct. 28, 1994
Apr. 12, 1994	Apr. 19, 1994	17	Apr. 29, 1994	Oct. 18, 1994	Oct. 25, 1994	44	Nov. 4, 1994
Apr. 19, 1994	Apr. 26, 1994	18	May 6, 1994	Oct. 25, 1994	Nov. 1, 1994	45	Nov. 14, 1994 (Mon.)
Apr. 26, 1994	May 3, 1994	19	May 13, 1994	Nov. 1, 1994	Nov. 7, 1994 (Mon.)	46	Nov. 18, 1994
May 3, 1994	May 10, 1994	20	May 20, 1994	Nov. 7, 1994	Nov. 15, 1994	47	Nov. 28, 1994 (Mon.)
May 10, 1994	May 17, 1994	21	May 27, 1994	Nov. 15, 1994	Nov. 22, 1994	48	Dec. 2, 1994
May 17, 1994	May 24, 1994	22	June 3, 1994	Nov. 22, 1994	Nov. 29, 1994	49	Dec. 9, 1994
May 24, 1994	May 31, 1994	23	June 10, 1994	Nov. 29, 1994	Dec. 6, 1994	50	Dec. 16, 1994
May 31, 1994	June 7, 1994	24	June 17, 1994	Dec. 6, 1994	Dec. 13, 1994	51	Dec. 23, 1994
June 7, 1994	June 14, 1994	25	June 24, 1994	Dec. 13, 1994	Dec. 20, 1994	52	Dec. 30, 1994
June 14, 1994	June 21, 1994	26	July 1, 1994	Dec. 20, 1994	Dec. 27, 1994	1	Jan. 6, 1995
June 21, 1994	June 28, 1994	27	July 8, 1994	Dec. 27, 1994	Jan. 3, 1995	2	Jan. 13, 1995

Please note: When the Register deadline falls on a State holiday, the deadline becomes 4:30 p.m. on Monday (the day before).

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

NOTICE OF PROPOSED AMENDMENTS

1) Heading of the Part: Appeal of Child Abuse and Neglect Investigation Findings

2) Code Citation: 89 Ill. Adm. Code 336

3) Section Numbers: Proposed Action:
336.150 Amendment

4) Statutory Authority: Section 5 of the Children and Family Services Act (Ill. Rev. Stat. 1991, ch. 23, par. 5005) [20 ILCS 505/11]; and Section 7.16 of the Abused and Neglected Child Reporting Act (Ill. Rev. Stat. 1991, ch. 23, par. 2057.16) [325 ILCS 7/16].

5) A Complete Description of the Subjects and Issues Involved:

These amendments differentiate between persons who receive notice of the final administrative decision when indicated reports of child abuse or neglect are appealed by the perpetrator. The first ground receives notice of all final administrative decisions because they are in a position to effect the employment or licensure of the appellant and will base their decision on the outcome of the appeal. The second ground receives notice only when the final administrative decision reverses or changes the indicated finding.

6) Will this proposed amendment replace any emergency amendment currently in effect? No.

7) Does this rulemaking contain an automatic repeal date? No.

8) Does this proposed amendment contain incorporation by reference? No.

9) Are there any other proposed amendment pending on this part? No.

10) Statement of Statewide Policy Objectives:

These amendments do not create or expand a state mandate as defined in Section 3(b) of the State Mandates Act (Ill. Rev. Stat. 1991, ch. 8, par. 2203) [30 ILCS 805/3].

11) Time, Place and Manner in which interested persons may comment on this Proposed rulemaking:

Comments on this proposed rulemaking may be submitted in writing for a period of 45 days following publication on this notice. Comments should be submitted to:

Jacqueline Nottingham, Chief
Office of Rules and Procedures
Department of Children and Family Services
406 East Monroe Street
Springfield, Illinois 62701-1495
Phone: 217/524-1938

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

NOTICE OF PROPOSED AMENDMENTS

TPD: 217/524-3175

The Department will consider fully all written comments on this proposed rulemaking submitted during the 45-day comment period. Comments submitted by small businesses should be identified as such. Persons who need translation or interpretation services to enable their commentary should request assistance by contacting the Office of Rules and Procedures.

12) Initial Regulatory Flexibility Analysis:

The Department has determined that the proposed amendments do not have an affect on small businesses.

The full text of the Proposed Amendment begins on the next page:

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

NOTICE OF PROPOSED AMENDMENTS

TITLE 89: SOCIAL SERVICES
CHAPTER III: DEPARTMENT OF CHILDREN AND FAMILY SERVICES
SUBCHAPTER b: PROGRAM AND TECHNICAL SUPPORT

PART 336

APPEAL OF CHILD ABUSE AND NEGLECT
INVESTIGATION FINDINGS

Section	Purpose
336.10	Definitions
336.20	Who May Appeal
336.30	What May Be Appealed
336.40	What May Not Be Appealed
336.50	The Right to Appeal and Receive a Fair Hearing
336.60	Notices of Department Decisions
336.70	The Appeal Process
336.80	Child Protection Internal Review
336.90	Notice of Internal Review Decision
336.100	The Administrative Hearing
336.110	Rights and Responsibilities in Administrative Hearings
336.120	The Administrative Law Judge
336.130	Combined or Separate Hearings
336.140	Final Administrative Decision
336.150	Records of Administrative Hearings
336.160	Severability of This Part
336.170	

AUTHORITY: Authorized by Section 5 of the Children and Family Services Act (Ill. Rev. Stat. 1991, ch. 23, pars. 5004 and 5005); implementing Section 7.16 of the Abused and Neglected Child Reporting Act (Ill. Rev. Stat. 1991, ch. 23, par. 2057.16) [325 ILCS 5/7.16].

SOURCE: Adopted at 17 Ill. Reg. 1026, effective January 15, 1993; amended at 18 Ill. Reg. _____, effective _____.

Section 336.150 Final Administrative Decision

- a) Making the Final Administrative Decision
The Director of the Department shall receive the recommended decision from the administrative law judge and shall agree, disagree, or modify the recommended decision based upon the credible evidence standard. The Director's decision is the final administrative decision of the Department. If the decision requires corrective action by the Department, the Director shall appoint a Department staff person who shall be responsible for assuring compliance with the decision.
- b) Notice of the Availability of Judicial Review
The Department shall include a notice to appellants as part of the final administrative decision. This notice shall include the name of the person responsible for compliance, if applicable, and shall advise

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

NOTICE OF PROPOSED AMENDMENTS

the appellants that, under the provisions of the Administrative Review Law (Ill. Rev. Stat. 1991, ch. 110, par. 3-101 et seq.) [325 ILCS 5/3-101], they may seek judicial review of the Department's decisions if it is unfavorable to them, within the statutory time frame.

c) Who Receives Copies of the Final Administrative Decision

The appellant or authorized representative, the Department child protection investigation unit, the Department's representative, the administrative law judge (except for notices of internal review decisions), the Administrator of the Administrative Hearing Unit, and the State Central Register shall receive a copy of the final administrative decision.

d) Notifying Others of the Decision

1) The following persons shall receive a notice of the final administrative decision:

- 1) ~~parents or personal guardians of the child-victim(s) if they--are not the same as the appellant;~~
- 2) ~~the--mandated--reporter--who--originally made the report of child abuse or neglect;~~
- 3) ~~the juvenile court judge and guardian ad litem (when a state ward is involved);~~

A) ~~4) the Illinois Department of Professional Regulation, district, regional and private school superintendents and the State Board of Education when they have been notified that an appeal has been filed in accordance with 89 Ill. Adm. Code 300, Reports of Child Abuse and Neglect, Section 300.140;~~

B) ~~5) administrators of child care facilities and Department licensing staff when the appellant is an employee of a child care facility; and~~

C) ~~6) supervisors or administrators notified in accordance with 89 Ill. Adm. Code 300.100(i).~~

2) The following persons shall receive a notice of the final administrative decision, if the decision amends, expunges or removes any record made under the Abused and Neglected Child Reporting Act (Ill. Rev. Stat. 1991, ch. 23, par. 7.17 [325 ILCS 5/7.17]):

- A) parents or personal guardians of the child victim(s) if they are not the same as the appellant;
- B) the mandated reporter who originally made the report of child abuse or neglect; and
- C) The juvenile court judge and guardian ad litem (when a state ward is involved).

(Source: Amended at 18 Ill. Reg. _____, effective _____)

DEPARTMENT OF COMMERCE AND COMMUNITY AFFAIRS

NOTICE OF PROPOSED AMENDMENT(S)

1) Heading of the Part: Technology Advancement and Development Act Programs

2) Code Citation: 14 Ill. Adm. Code 545

3) Section Numbers:	Proposed Action:
545.420	Amendment
545.430	Amendment
545.440	Amendment
545.450	Amendment
545.460	Amendment
545.470	Amendment
545.480	Repealed
545.490	Repealed
545.495	Amendment

4) Statutory Authority: Implementing and authorized by the Technology Advancement and Development Act (Ill. Rev. Stat. 1991, ch. 127, pars. 3701-1 et seq.) [20 ILCS 700/1001].

5) A Complete Description of the Subjects and Issues Involved: This rulemaking establishes an application process to fund individual business projects, reduces paperwork requirements and provides for on-going application processing. These rules will provide Development Corporations with additional opportunities for financial assistance and better utilization of available revolving loan funds and will open additional delivery systems through financial intermediaries for small businesses seeking financial assistance.

6) Will these proposed amendments replace an emergency rule currently in effect? No.

7) Does this rulemaking contain an automatic repeal date? No.

8) Do these proposed amendments contain incorporations by reference? No.

9) Are there any proposed amendments pending on this Part? No.

10) Statement of Statewide Policy Objectives: This rulemaking does not create or expand a state mandate as defined in Section 3(b) of the State Mandates Act (Ill. Rev. Stat. 1991, ch. 85, par. 2203) [30 ILCS 805/1].

11) Time, Place, and Manner in which interested persons may comment on this proposed rulemaking: Interested persons may present their comments concerning this proposed rulemaking in writing within 45 days after this edition of the Illinois Register to the following:

DEPARTMENT OF COMMERCE AND COMMUNITY AFFAIRS

NOTICE OF PROPOSED AMENDMENT(S)

Mr. Norman Sims, Deputy Director
Bureau of Community Development
Department of Commerce and Community Affairs
620 East Adams Street, 5th Floor
Springfield, Illinois 62701
Telephone Number: (217) 785-6174
T.D.D. Number: (217) 785-6055

12) Initial Regulatory Flexibility Analysis:

A) Types of small businesses (See Section 1-75 of the Act), small municipalities (See Section 1-80 of the Act) and not for profit corporations (See Section 1-85 of the Act) affected. Small businesses (such as Minority, Women, Disabled, etc.) will now have greater access to capital.

B) Reporting, bookkeeping or other procedures required for compliance: Requirements under the Development Corporation Program must be followed including, but not limited to, application, financial information, essential need, monitoring project overview and repayment provisions (if applicable).

C) Types of professional skills necessary for compliance: Applicants will need a basic understanding of the application and monitoring processes.

The full text of the Proposed Amendments begins on the next page:

DEPARTMENT OF COMMERCE AND COMMUNITY AFFAIRS

NOTICE OF PROPOSED AMENDMENT(S)

TITLE 14: COMMERCE

SUBTITLE C: ECONOMIC DEVELOPMENT

CHAPTER I: DEPARTMENT OF COMMERCE AND COMMUNITY AFFAIRS

PART 545

TECHNOLOGY ADVANCEMENT AND DEVELOPMENT ACT PROGRAMS

SUBPART A: TECHNOLOGY CHALLENGE GRANT PROGRAM

Section	
545.10	General Purposes
545.20	Definitions
545.25	Incorporation by Reference
545.30	Program Responsibilities
545.40	Eligible Applicants
545.50	Application Process
545.60	Review of Applications
545.70	Program Administration Requirements

SUBPART B: TECHNOLOGY VENTURE INVESTMENT PROGRAM

Section	Purpose
545.110	Definitions
545.120	Application Cycle
545.130	Application Review
545.140	Application Documentation
545.150	Application Evaluation
545.160	Funding
545.170	Selection for Funding
545.180	Allowable Leverage
545.190	Administrative Requirements
545.195	

SUBPART C: BUSINESS MODERNIZATION RETOOLING LOAN PROGRAM

Section	Purpose
545.210	Definitions
545.215	Eligible Businesses
545.220	Eligible Uses of Loan Funds
545.225	Application Documentation
545.230	Application Evaluation
545.235	Selection for Funding
545.240	Funding Waivers
545.245	Allowable Leverage
545.250	Loan Agreement
545.255	Loan Terms
545.260	Loan Security
545.265	Maintenance and Insurance of Property
545.270	

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NOTICE OF PROPOSED AMENDMENT(S)

545.275	Administrative Requirements
545.280	Audits
545.285	Termination of Loan
545.290	Events of Default

SUBPART D: BUSINESS MODERNIZATION ASSESSMENT GRANT PROGRAM

Section	Program Purpose and Mission
545.310	Definitions
545.315	Eligible Grant Categories
545.320	Eligible Businesses
545.325	Application Requirements
545.330	Applicant Process
545.335	Application Evaluation Standards
545.340	Selection Criteria
545.345	Grant Limitations
545.350	Administrative Standards for Grant Recipients
545.355	Project Reporting
545.360	Modification, Suspension and Termination of Grant
545.365	

SUBPART E: DEVELOPMENT CORPORATION PROGRAM

Section	Program Purpose
545.410	Definitions
545.420	Applications
545.430	Application Review Process
545.440	Financial Assistance
545.450	Administrative Standards
545.460	Financial Assistance Standards
545.470	Audits (Repealed)
545.480	Modification, Suspension and Termination of Financial Assistance (Repealed)
545.490	General Terms Governing Relending
545.495	

AUTHORITY: Implementing and authorized by the Technology Advancement and Development Act (Ill. Rev. Stat. 1991, ch. 127, par. 3701-1 et seq.) [20 ILCS 700] (see Public Act 88-453).

SOURCE: Emergency rules adopted at 13 Ill. Reg. 19753, effective December 1, 1989, for a maximum of 150 days; emergency expired April 30, 1990; adopted at 14 Ill. Reg. 9016, effective May 29, 1990; amended at 15 Ill. Reg. 15040, effective October 4, 1991; amended at 18 Ill. Reg. 8415, effective May 23, 1994; amended at 18 Ill. Reg. _____, effective _____.

Section 545.420 Definitions

"Business Project" means any specific economic development activity of

DEPARTMENT OF COMMERCE AND COMMUNITY AFFAIRS

NOTICE OF PROPOSED AMENDMENT(S)

a commercial, industrial, manufacturing, agricultural, scientific, financial, service or other nature, which is expected to yield an increase in jobs or to result in the retention of jobs or an improvement in "Production Efficiency" (Section 1003(c) of the Act).

"Business Project Expense" includes costs incurred for research and development; amortizable organizational costs; working capital financing, the purchase or lease of machinery and equipment and tooling, or the lease or purchase of real property, including construction, renovation, or leasehold improvements, but does not include refinancing debt (Section 1003(b) of the Act).

"Development Corporation" means any public or private Development Corporation whose mission or mandate includes promoting, encouraging or financing business modernization and retooling or adoption and implementation of new production equipment, process or technologies, including banks and bank holding companies, community development corporations, state development credit corporations, regional development authorities authorized to do business by an act of this state, loan partnerships, loan consortiums, or other financial intermediary.

"Capitalize" means invest, purchase stock or purchase qualified security investments in a Development Corporation or provide equity funding for a revolving loan fund in a Development Corporation.

"Capilization" means the activity, funding or process used to capitalize a Development Corporation.

"Financial Assistance" means a loan or a grant or the purchase of qualified securities or other means whereby financial aid is made to or on behalf of a development corporation (Section 1003(f) of the Act).

"Qualified Security Investment" means any stock, convertible security, treasury stock, limited partnership interest, certificate of interest or participation in any profit sharing agreement, preorganization certificate of subscription, transferable share, investment contract, certificate of interest or participation in a patent or application or, in general, any interest or instrument commonly known as a "security" or any certificate for, receipt for, guarantee of, or option, warrant or right to subscribe to or purchase any of the foregoing, but not including any instrument which contains voting rights or which can be converted to contain voting rights in the possession of the Department (Section 1003(i) of the Act).

(Source: Amended at 18 Ill. Reg. _____, effective _____)

DEPARTMENT OF COMMERCE AND COMMUNITY AFFAIRS

NOTICE OF PROPOSED AMENDMENT(S)

Section 545.430 Applications

a) Application Availability

1) Applications for financial assistance will be made available on an annual ongoing basis if provided sufficient monies are allocated available for the program. Upon request, the Department will supply potential applicants with an application package.

2) Any Development Corporation as defined in Section 545.420 is eligible to apply for financial assistance to set up (e.g., organize, incorporate, establish by-laws, policies, procedures, start-up, etc.) and/or operate capitalize a Development Corporation or fund a business project under this program. Such applicants must submit an application applications on forms provided by the Department. A standard Standard application form forms will be used statewide.

3) Public notice of the availability of applications and the application due date will be published in the state-recognized newspaper. Applications will be due on the deadline as determined by the Department. The due date will be no sooner than 45 calendar days after the public notice.

b) Program Application -- Applications for financial assistance from the Department must address the following items:

1) History of Applicant -- Provide a brief history of the Development Corporation, legal status (i.e., stock corporation, not-for-profit, general unit of government, etc.), board structure, office location, etc. as a separate attachment. Provide proof of authority to operate including, as appropriate, articles of incorporation, bylaws, and a resolution of the Board to participate.

2) Mission and Goals -- Fully describe the public purpose being served by the Development Corporation which must include financing and promoting the adoption of advanced technologies, the major objectives of the proposed Development Corporation and how it will meet these objectives.

3) Local Market Needs -- Identify the geographic area to be served by the Development Corporation and the typical borrowers to be served (e.g., beneficiaries of the Development Corporation's lending). Identify problems or weaknesses in the ability of conventional lenders to serve the Development Corporation's typical borrower and the primary business financing needs that will be addressed. Include a profile of the Development Corporation's target area, for example county, multi-county area, statewide, etc.

4) Financial Products and Services -- Describe the specific financial products and financial services to be offered. This should include the type of lending and equity to be offered, term of lending to be provided, minimum and maximum amounts, if any, on loans outstanding to individual firms, etc. If the Development Corporation is recently formed, include the timetable for

DEPARTMENT OF COMMERCE AND COMMUNITY AFFAIRS

NOTICE OF PROPOSED AMENDMENT(S)

implementation.

- 5) Results Expected -- Describe anticipated public benefits resulting from the Department's financial assistance in terms of retooling or modernization, jobs created or retained, etc.
- 6) Staffing and Management -- Provide a description of how and by whom the Development Corporation will be managed and staffed including specific information on board membership. Describe anticipated federal or state agency regulatory oversight activities of the Development Corporation's activities.
- 7) Operating Procedures and Strategies -- Describe how the Development Corporation will be operated, proposed location of offices and/or facilities, marketing of corporate services, etc. Describe the corporate decisionmaking process for making business loans and other types of investments, due diligence process and credit analysis procedures to be used, and application procedures to assure prudent operation of the lending and investment activity. Minimally, these service delivery strategies must be adequate to address relending requirements outlined in Section 545.495.
- 8) Coordination and Community Involvement -- Provide a description of the primary working relationships with public and private entities, such as local state and federal financial institutions, venture capital partnerships, public or non-profit development agencies, etc. Describe community involvement in the Development Corporation referral process (if any).
- 9) Capitalization -- Provide a summary of financial projections, anticipated sources of operating income, the amount of Development Corporation capitalization and the expected funding needs of the Development Corporation. Specifically, include the nature and amount of bank and other corporate investment, and major stockholders or shareholders and percent of ownership. For a new Development Corporation, include a detailed timetable for securing all initial corporate financing.
- 10) Budget Request -- Identify the amount of funds being sought from the Department. The request should also detail the type of funding requested (loan, grant or security investment), how it will be secured and repaid, and how it will be used (direct lending, etc.) and the anticipated schedule (timing) for using Department funds. If Departmental monies are to be used for organizational or administrative costs, the amount should be noted, and justification should be provided.

c) Subsequent Applications -- Applications for capitalization by Development Corporations that have received set up or capitalization financial assistance under this program, may incorporate by reference and update the previously submitted information to meet the requirements of subsection (b).

d) Business Project Applications -- Applications for financial assistance to fund specific business must include the applicable project information required in Section 545.495. Development Corporations

DEPARTMENT OF COMMERCE AND COMMUNITY AFFAIRS

NOTICE OF PROPOSED AMENDMENT(S)

that have not previously received financial assistance under this program may also be required to provide applicable information from subparagraphs (b)(1), (7) and (9).

(Source: Amended at 18 Ill. Reg. _____, effective _____)

Section 545.440 Application Review Process

a) Department staff will screen all applications to determine that all minimum requirements of the application package have been addressed. Applications will be reviewed in accordance with Department review criteria listed in subsection (b), (c) or (d).

b) A request for financial assistance to set up and/or capitalize operate a Development Corporation will be evaluated on in accordance with the requirements of this Part. The review of applications will begin after upon receipt of the application due date and take no more than 75 working days, with financial assistance awards being announced at the end of that period. Applicants will be advised of the Department's decision in writing. Applications will be evaluated on the basis of:

- 1) The extent of economic distress and unemployment in the area to be served; the nature of financial needs of the area and the geographic diversity of the applicants;
- 2) The capability of the applicant and its staff as demonstrated by existing or past experience in managing similar work activities to those proposed to be undertaken;
- 3) Time schedule for project initiation, etc. indicating the level of project readiness;
- 4) Actual or anticipated amount of capitalization, extent of leveraging of other financial resources and consistency of proposed items of expenditure with the requirements of the Act;
- 5) The merits of the proposed work plan and consistency of proposed activities with requirements of Section 545.495;
- 6) The level of economic development results expected in terms of development financing, retooling or modernization, jobs created or retained, private funds leveraged, etc. and level of other significant benefits or impacts;
- 7) Evidence of direct linkages or coordination between the proposed program and private financial institutions and public investment/loan/guarantee programs;
- 8) The anticipated financial feasibility of the project and its ability to maintain continuous operation beneficial to the public as determined by anticipated operational costs of tests then or equal to anticipated income or the availability of equity to cover any shortfall based on the company's historical and projected financial statements; and
- 9) Level of performance by applicant under previous Departmental programs, if applicable.

c) Subsequent Applications -- Review of subsequent application(s) for

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capitalization may utilize and appropriately cite the previous review(s) made of the information submitted by a Development Corporation to meet the requirements of subsection (b). Business Project Applications - Applications for financial assistance to fund specific business projects will be reviewed to determine that all minimum requirements of the application package have been addressed and that funding the projects will meet the purposes of the Act.

2) Upon selection, the Department will notify successful applicants of the amount of financial assistance, if any, which may be used to set up and operate the Development Corporation approved. During formal negotiation discussions held with the Department, the Department and the applicant will agree to the scope of work of the agreement and the period terms of the agreement. The Department will issue an award letter and will issue an agreement, for signature by the applicant. Subject to negotiation, the Department may limit the amount of time such funds which will be available for the use by the Applicant.

(Source: Amended at 18 Ill. Reg. _____, effective _____)

Section 545.450 Financial Assistance

a) Financial Assistance Limits --

1) A Department Financial Assistance to a Development Corporation in the form of a loan and/or qualified security investment(s) shall not be made for more than \$500,000 or for more than 25 percent of the amount of actual or anticipated initial capitalization, not including any funds originating from state or federal sources through the Department, unless the Director of the Department determines that a waiver of these limits in accordance with subsection (b) is required to meet the purposes of the Act.

2) Department Financial Assistance to a Development Corporation in the form of a loan or qualified security investments investment for an eligible applicant relending or investing in a particular qualified business project shall not be made for more than \$500,000 and shall not be made for more than 25 percent of the amount of initial capitalization the total business project expense and must be matched at least 1:1 by the Development Corporation's capitalization (equity or debt), not including any funds originating from state or federal sources through the Department, unless the Director of the Department determines that a waiver of these limits in accordance with subsection (b) is required to meet the purpose of the Act.

3) Department Financial Assistance to a Development Corporation in the form of a grant shall not be made for more than \$500,000 or \$50,000 or more than 25 percent of the amount of actual or anticipated fixed (i.e., permanent) capitalization, not including

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any funds originating from state or federal sources through the Department, unless the Director of the Department determines a waiver is required to meet the purposes of the Act.

4) Development Corporations that have received capitalization grants shall subsequently be limited to financial assistance in the form of loans and/or qualified security investments unless the Director of the Department waives this limitation.

5) The Department may limit the amount of financial assistance available to any Development Corporation.

b) Funding Waivers -- The Director shall waive limitations governing the amount of the financial assistance and percentage of leverage when it is determined that these funding limitations would prohibit an other wise approved project, and subsequent job creation/retention, from occurring. A project with a higher ratio will be considered for financial assistance waiver may be granted if the application demonstrates severe need, including, but not limited to a demonstration that:

1) The Development Corporation or business project serves a distressed community, county, or multi-county area with an unemployment rate which is 25 percent higher than the state's average;

2) The area to be served has limited economic development potential without support as evidenced by new job growth rate less than the state or national average;

3) Funding would support a Development Corporation which has provided assurance the project will generate business growth and job creation in the community as a result of spinoff businesses and thus evidence that additional jobs will be created or retained.

(Source: Amended at 18 Ill. Reg. _____, effective _____)

Section 545.460 Administrative Standards

a) Grants

1) Financial Assistance Agreement -- During formal negotiations and discussions held with the Department, the Department and the applicant will agree to the scope of work of the agreement and the period of the agreement, which The period of funding for grant agreements shall be no longer than two years.

b) Nondiscrimination -- The Development Corporation shall refrain from unlawful discrimination in employment and undertake affirmative action to assure equality of employment opportunity and eliminate the effects of past discrimination in accordance with the Illinois Human Rights Act (Ill. Rev. Stat. 1987, ch. 68, pars. 1-101 et seq.).

c) Complaint Process -- In the event of a Development Corporation complaint, the Department will follow the procedures outlined in

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the 47 Ill. Adm. Code 10 (Review and Appeal Procedures).
 d) Financial Statements -- The Development Corporation will provide, at least annually, information and reports required by the Department, including the Corporation's balance sheet, profit and loss statement, and other financial reports due within 45 calendar days of the end of the state fiscal year.

e) Progress Reports -- An annual progress report shall be prepared by the Development Corporation pertaining to and describing the progress in lending funds, specific business assisted, and the amount of funds loaned, invested, jobs created or retained, etc. A copy shall be delivered to the Department within 45 calendar days of the end of state fiscal year.

f) Department Monitoring and Evaluation -- A Development Corporation must permit any agent authorized by the Department, upon presentation of credentials, to have full access to and the right to examine any documents, papers, and records of the Development Corporation involving transactions related to financial assistance from the Department.

g) Conflict of Interest -- Each Development Corporation shall assure there is no conflict between borrowers and members of the Development Corporation's staff or board to the extent that no staff or board member shall have any financial interest in nor shall the member profit from, any loan to a borrower.

b) Loans and Investments

1) Financial Assistance Agreement -- During formal negotiations and discussions held with the Department, the Department and the applicant will agree to the terms of the loan or investment agreement.

2) Financial Statements -- The Development Corporation will provide, at least annually, information and reports required by the Department, including the Corporation's balance sheet, profit and loss statement, and other financial reports due within 45 calendar days of the end of the state fiscal year.

3) Progress Reports -- An annual progress report shall be prepared by the Development Corporation pertaining to and describing the progress in lending funds, specific business assisted, and the amount of funds loaned, invested, jobs created or retained, etc. A copy shall be submitted to the Department within 45 calendar days of the end of state fiscal year.

4) Department Monitoring and Evaluation -- A Development Corporation must permit any agent authorized by the Department, upon presentation of credentials, to have full access to and the right to examine any documents, papers, and records of the Development Corporation involving transactions related to financial assistance from the Department.

(Source: Amended at 18 Ill. Reg. _____, effective _____)

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Section 545.470 Financial Assistance Standards

a) Record Retention Requirements -- All Development Corporation must adhere to the provisions contained in the Secretary of State's Regulations -- 44 Ill. Adm. Code 4000 of the Record-Keeping Act and the Record-Keeping Act -- 1987, Chapter 117, Part 4, Section 1. The Department and Development Corporation shall execute a grant, loan or investment agreement including financial assistance standards consistent with all applicable laws and regulations and the type of financial assistance provided. The agreement, as appropriate, may include, but not be limited to, standards for record retention, cash management, financial management, record review and monitoring, audits, reporting and/or modification of the agreement.

b) Property Management -- All property and assets purchased with the financial assistance award must be used on the original project as long as needed. The Department shall determine whether there is a continued need to use all such property beyond the period of the agreement and may authorize disposition consistent with the grant award criteria listed in Section 545.436.

c) Cash Management -- Recipients shall make all cash deposits in accounts covered under Federal Depositors Insurance Corporation or Federal Savings and Loan Insurance Corporation. Recipients shall provide for bonding of financial assistance project staff. The amount of coverage shall be the higher of \$100,000 or the greatest cash drawdown planned during the grant period.

d) Barings on Funds -- In accordance with Section 18-10, the Illinois Grant Funds Recovery Act, all revenues earned by the Department 23107111 interest earned on funds held by the Department Corporation under this financial assistance agreement shall become part of the financial assistance agreement when earned. Barings by the Development Corporation including repayment or principle and interest on loans realized shall become a part of the financial assistance agreement.

e) Method of Compensation -- Payments pursuant to a Financial Assistance Award are subject to the availability of funds appropriated to the Department by the Illinois General Assembly. Payments to the Development Corporation are subject to the initiation of an invoice voucher. Financial assistance must be obligated, vouchered, and liquidated within the period of the agreement or some period not time as determined by the Department.

f) Record Review and Monitoring -- Development Corporations and their subcontractors, if any, must permit any agent authorized by the Department, upon presentation of credentials, to have full access to and the right to examine any documents, papers, and records of the Development Corporation involving transactions related to a Financial Assistance Award under this program for three (3) years from the date of submission of the final progress report or until audit findings have been resolved, whichever is later.

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- g) Financial Management---The Development Corporation is accountable for funds received under this financial assistance agreement and shall maintain effective control and accountability over all funds and other assets under the grant. The Development Corporation shall keep records which detail and accurately document the Development Corporation's expenditures of grant funds. A Development Corporation's financial management system shall be structured under the Accounting Standards of the Financial Accounting Standards Board of the American Institute of Certified Public Accountants (AICPA) (September 19, 1987).
- h) Overpayments and Recovery of Funds---If the Development Corporation expends funds contrary to the provisions of the agreement, such action shall require the repayment of those funds if the expenditure violated the Development Corporation's assurances or the statutory provisions. The Department shall require repayment of Development Corporation expenditures that do not conform to the provisions of the Agreement but do not violate statutory provisions. An overpayment of a financial assistance funds (unliquidated balance) shall promptly be refunded to the Department. In addition, the Development Corporation agrees to repay the Department for any funds that are determined by the Department to have been spent in violation of the agreement.

(Source: Amended at 18 Ill. Reg. _____, effective _____)

Section 545.480 Audits (Repealed)

- a) The Development Corporation shall be responsible for securing an audit of all loan records and such audit must be performed by an independent certified public accountant licensed by authority of the State of Illinois pursuant to the Illinois Public Accounting Act (Ill. Rev. Stat., 1967, ch. 117, pars. 5500 et seq.). The audit must be conducted in accordance with generally accepted auditing standards adopted by the American Institute of Certified Public Accountants (AICPA).
- b) The Development Corporation shall work cooperatively with the audit firm selected; actively work with both the audit firm and the Department to resolve any and all audit findings; and work cooperatively with the Department's staff in preparing conducting resolving audits.
- c) The Department reserves the right to conduct special audits including but not limited to an agency wide audit at any time during normal working hours of funds expended under Department loans.
- d) Any independent public accounting firm that provides consulting services to a Development Corporation is prohibited from conducting an audit of that Development Corporation for the period during which services were rendered.

(Source: Repealed at 18 Ill. Reg. _____, effective _____)

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Section 545.490 Modification, Suspension and Termination of Financial Assistance (Repealed)

- a) Modification and Amendment of the Financial Assistance Award---The award of financial assistance is subject to revision as follows:
- 1) Modifications by Operation of Law---The award of financial assistance is subject to such modifications as may be required by changes in state law or regulations. Any such required modification shall be incorporated into and made a part of the financial assistance within the provisions of the Illinois Grant Funds Recovery Act (Ill. Rev. Stat., 1987 and 1988 Supp., ch. 127, pars. 3301 et seq.). The Department shall notify in writing the Development Corporation of any amendment to such regulations.
- 2) Modifications in Budget---Development Corporations requests for budget variations in the amount or line item costs shall be in writing by registered letter and shall give justifications for the requested variations. The Department may approve modification requests if in the Department's sole determination such is necessary to achieve program objectives of the grant award criteria set out in Section 545.430. Any changes in cost categories or line items shall not alter the activities or deliverables for the project. If the Department approves the modification request, the Development Corporation will be notified in writing of the change and effective date.
- 3) Other---Modifications by Department or Development Corporation---If either the Department or the Development Corporation desires to modify the terms of the financial assistance other than as set forth in subsections (1) and (2) above, written notice of the proposed modification shall be given to the other party. No modification shall take effect unless agreed to in writing by both the Department and the Development Corporation.
- b) Suspension---If the Department determines that a Development Corporation has failed to perform the terms and conditions of the scope of work of the project, then the Department shall, after notice and an opportunity to correct, has been provided to the recipient suspend the financial assistance and withhold further payments until the financial assistance is terminated, or the Development Corporation's failure has been corrected.
- 2) The Department will determine that a Development Corporation has failed to faithfully perform the terms and conditions of the scope of work of the project when:
- A) the Department has notified the Development Corporation in writing of the existence of circumstances such as repeated failure to submit required reports, misapplication of Department funds, evidence of fraud and abuse, repeated failure to meet performance times or standards, or failure to resolve negotiated points of the agreement; and

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- B) the Development Corporation fails to develop and implement a corrective action plan satisfactory to the Department within 30 calendar days of the Department's notice;
- C) Financial assistance shall be terminated for the following reasons:
- 1) Termination Due to Loss of Funding -- In the absence of state funding for a specific year, all financial assistance for that year will be terminated in full in the event of a partial loss of state funding; the Department will make proportionate cuts to all Development Corporations;
 - 2) Termination for Cause -- If the Department determines that the Development Corporation has failed to comply with the terms and conditions of the financial assistance, has failed to observe or perform or cause the observance or performance of any covenant contained in the agreement or any statement, certification, representation or warranty made by or on behalf of the Development Corporation, shall prove to have been untrue or incorrect in any material respect when made, the Department shall terminate the loan in whole, or in part, at any time before the date of completion;
 - 3) Termination by Agreement -- The Department and the Development Corporation shall terminate the financial assistance agreement in whole or in part when the Department and the Development Corporation agree that the continuation of the project objectives would not produce beneficial results commensurate with the future expenditures of funds.

(Source: Repealed at 18 Ill. Reg. _____, effective _____)

Section 545.495 General Terms Governing Relending

When Financial Assistance provided by the Department is used by the Development Corporation for relending to or direct investments in Illinois based firms, the Corporation shall meet the following standards:

- a) Applications -- An application for a loan or a security investment submitted to the Development Corporation may require facts about the company's history, job opportunities, stability of employment, past and present condition and structure, actual and pro-forma income statements, present and future market prospects and management qualification, and any other facts deemed material to the financing request. The Development Corporation shall obtain and such additional information concerning the application as it deems necessary and diligent (Section 3003 of the Act).
- b) Financial Analysts Analysis -- The Development Corporation shall, on the basis of the application, and any other information, prepare a report concerning the credit-worthiness of the proposed borrower, the financial commitment of other investors, the manner in which the proposed business project will advance the economy of the state, and the soundness of the proposed financial assistance agreement (Section

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- 3003 of the Act).
- c) Other Financing -- Assistance shall be awarded only if other financing with respect to the business project is provided. Other financing may include, but shall not be limited to any loan, equity position, convertible preferred stock, letter of credit, guarantee, or bond purchase (Section 3002(a) of the Act).
 - d) Adequate Security -- Loans or security investment may be secured by first or second positions on real or personal property, by royalty payments, by personal notes or guarantees, or by any other security satisfactory to the (Section 3002(b) of the Act) Development Corporation.
 - e) Terms and Provisions -- Loans or security investments shall be in such principal amount and form, and contain such terms and provisions with respect to the property, insurance, repairs, alteration, payment or taxes and assessments, delinquency charges, default remedies, additional security as shall be determined adequate (Section 3002(c) of the Act).
 - f) Loans -- In determining if a loan is to be provided, the Development Corporation shall determine whether there will be an expected improvement in production levels, quality of output or timeliness of delivery and that the number of jobs to be created or retained is reasonable in relation to the loan funds requested (Section 3004(b) of the Act).
 - g) Qualified Security Investments -- In determining if a qualified security investment is to be made, the Development Corporation shall find that there is a likelihood of commercial feasibility given the state of development of the proposed product, process, or technical device, and that there is likelihood of increased job opportunities in the near term as a result of the security investment (Section 3004(a) of the Act).

(Source: Amended at 18 Ill. Reg. _____, effective _____)

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1) Heading of the Part: Office of the State Fire Marshal Appeals

2) Code Citation: 35 Ill. Adm. Code 107

3) Section Number: Proposed Action:

107.100 new section
 107.101 new section
 107.102 new section
 107.103 new section
 107.120 new section
 107.121 new section
 107.122 new section
 107.123 new section
 107.124 new section
 107.140 new section
 107.141 new section
 107.160 new section
 107.161 new section
 107.180 new section
 107.181 new section
 107.200 new section
 107.201 new section
 107.202 new section
 107.220 new section
 107.221 new section
 107.222 new section
 107.223 new section
 107.224 new section
 107.225 new section
 107.226 new section
 107.227 new section
 107.228 new section
 107.240 new section
 107.241 new section
 107.242 new section
 107.243 new section
 107.244 new section
 107.245 new section
 107.246 new section
 107.247 new section
 107.260 new section
 107.280 new section
 107.300 new section
 107.301 new section
 107.302 new section
 107.320 new section
 107.340 new section
 107.341 new section

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107.342 new section
 107.360 new section
 107.361 new section
 107.362 new section

4) Statutory Authority: 415 ILCS 5/26, 57-9(c)(2) (1992).

5) A Complete Description of the Subjects and Issues Involved: The proposed rules establish procedures for appeals to the Pollution Control Board (Board) from final determinations by the Office of the State Fire Marshal (OSFM) on issues of deductibility and eligibility to access the underground storage tank fund. Final OSFM decisions are appealable to the Board pursuant to new legislation codified at Section 57-9(c)(2) of the Environmental Protection Act. (415 ILCS 5/57.9(c)(2).)

6) Will this proposed rule replace an emergency rule currently in effect? No.

7) Does this rulemaking contain an automatic repeal date? Yes x No

8) Does this proposed (amendment, repealer) contain incorporations by reference? No.

9) Are there any other amendments pending on this Part? No.

10) Statement of Statewide Policy Objective (if applicable): These proposed rules do not create or enlarge a state mandate as defined in Section 3(b) of the State Mandates Act (30 ILCS 805/3(b)).

11) Time, Place and Manner in which interested persons may comment on this proposed rulemaking:

Send written comments concerning this rulemaking within 45 days of publication in the Illinois Register to Dorothy M. Gunn, Clerk, Illinois Pollution Control Board, 100 West Randolph Street, Suite 11-500, Chicago, IL 60601. Please include the docket number of this rulemaking (R94-11) on all comments.

12) Initial Regulatory Flexibility Analysis (if applicable):

A) Date rule submitted to Business Assistance Office of the Department of Commerce and Community Affairs: July 5, 1994.

B) Types of small businesses affected: Any small business applying for reimbursement from the underground storage tank fund may be affected if that business chooses to appeal a final OSFM determination on eligibility or deductibility.

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- C) Reporting, bookkeeping or other procedures required for compliance:
The proposed rules establish procedures for appeals to the Pollution Control Board.
- D) Types of professional skills necessary for compliance: Professional and clerical.

The full text of the proposed amendments begins on the next page:

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TITLE 35: ENVIRONMENTAL PROTECTION
SUBTITLE A: GENERAL PROVISIONS
CHAPTER I: POLLUTION CONTROL BOARD

PART 107

OFFICE OF THE STATE FIRE MARSHAL APPEALS

SUBPART A: GENERAL PROVISIONS

Section
107.100
107.101
107.102
107.103

Applicability
Severability
General Overview
Definitions

SUBPART B: PLEADINGS AND PROCESS

Section
107.120
107.121
107.122
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Who May File; Parties
Timely Petition
Contents of the Petition
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SUBPART C: INITIAL BOARD ACTION

Section
107.140
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Preliminary Board Determination: Accept for Hearing
Preliminary Board Determinations: Insufficient Petition

SUBPART D: NOTICE OF HEARING

Section
107.160
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Scheduling
Hearing Authorized

SUBPART E: AUTHORITY AND DUTIES OF HEARING OFFICERS

Section
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Authority of Hearing Officers
Duties of Hearing Officers

SUBPART F: PRE-HEARING MATTERS, DISCOVERY,
ADMISSIONS AND SUBPOENAS

Section
107.200

Pre-Hearing Conference

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107.201 Discovery in General
107.202 Subpoenas

SUBPART G: MOTION PRACTICE

Section
107.220 Filing and Contents of Motions and Responses
107.221 Motions Attacking Jurisdiction or Sufficiency of the Pleadings
107.222 Motions Preliminary to Hearing
107.223 Effect of Filing and Disposition of Motion
107.224 Voluntary Dismissal
107.225 Motions to Cancel Hearing
107.226 Motions to Stay
107.227 Motions for Summary Judgment
107.228 Motions for Reconsideration

SUBPART H: HEARINGS

Section
107.240 Hearings Open to the Public
107.241 Order of Cases
107.242 Order of Proceedings
107.243 Testimony at Hearing
107.244 Admissibility of Evidence
107.245 Examination of Adverse and Hostile Witnesses
107.246 Amendment of Pleadings
107.247 Default

SUBPART I: PUBLIC PARTICIPATION

Section
107.260 Statements from Interested Persons

SUBPART J: SETTLEMENT

Section
107.280 Settlement

SUBPART K: POST-HEARING MATTERS

Section
107.300 Hearing Transcripts
107.301 Written Briefs
107.302 Record of Proceeding

SUBPART L: SANCTIONS

Section
107.320 Sanctions

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SUBPART M: FINAL BOARD ACTION

107.340 Standard of Review
107.341 Contents of Board Opinions
107.342 Duties of the Clerk

SUBPART N: MOTIONS FOR RECONSIDERATION
AND RELIEF FROM FINAL BOARD ORDERS

Section
107.360 Motions for Reconsideration
107.361 Relief from Final Orders
107.362 Judicial Review of Final Board Orders

AUTHORITY: Authorized by Section 26 of the Illinois Environmental Protection Act (415 ILCS 5/26 (1992)) and implementing Section 57.9(c) of the Environmental Protection Act (415 ILCS 5/57.9(c), as added by P.A. 88-496, effective September 13, 1993).

SOURCE: Adopted in R94-11 at 18 Ill. Reg. _____, effective _____.

SUBPART A: GENERAL PROVISIONS

Section 107.100 Applicability

This Part applies to proceedings before the Illinois Pollution Control Board (Board) concerning appeals from Office of State Fire Marshal (OSFM) final determinations made pursuant to Section 57.9(c) of the Environmental Protection Act. (415 ILCS 5/57.9(c)(1992).) This Part shall be read in conjunction with 35 Ill. Adm. Code 101 which contains procedures generally applicable to Board proceedings. In the event of a conflict between the requirements of 35 Ill. Adm. Code 101 and those of this Part, the provisions of this Part shall apply.

Section 107.101 Severability

If any provision of this Part or its application to any person or under any circumstances is adjudged invalid, such adjudication shall not affect the validity of this Part as a whole or of any portion not adjudged invalid.

Section 107.102 General Overview

These procedural rules promote administrative efficiency in the Board's consideration of appeals of OSFM Eligibility and Deductibility Final Determinations. The process before the Board includes, but is not limited to, the following steps. Upon receipt of a petition for review, unless the Board or its designee makes a preliminary determination that the petition is insufficient, a hearing date and location will be assigned. Though hearings will be publicly-noticed in the county where the underground storage tank site

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is located, in most cases the hearings will take place in either Chicago or Springfield. The Board envisions that if the parties enter into settlement prior to or during the hearing process, the parties may request that the Board accept and enter a final order adopting a proposed settlement agreement; such an order may be requested with or without a hearing.

Section 107.103 Definitions

Except as otherwise defined in this section, definitions of terms used in this Part shall be those used in the Environmental Protection Act (415 ILCS 5/1 et seq.)

"Act" means the Environmental Protection Act (415 ILCS 5/1 et seq (1992)).

"Board" means the Illinois Pollution Control Board or its designee.

"Eligibility and Deductibility Determination Form" means a form provided by the Office of State Fire Marshal to the owner or operator either on site or within 15 days of receipt of notice indicating a confirmed release. (Derived from Section 57.9(c) of the Act).

"Eligibility and Deductibility Final Determination" means the letter issued by the Office of State Fire Marshal enunciating the final eligibility and deductibility determination of an owner or operator who has reported a confirmed release of a regulated substance to access the Underground Storage Tank Fund. (Derived from Section 57.9(c) of the Act).

"Fund" means the underground storage tank fund. (Section 57.2 of the Act.)

"IEMA" means the Illinois Emergency Management Agency.

"OSPFM" means the Office of State Fire Marshal.

"Operator" means any person in control of, or having responsibility for, the daily operation of the underground storage tank. (42 U.S.C. 6881).

"Owner" means:

In the case of an underground storage tank in use on November 8, 1984, or brought into use after that date, any person who owns an underground storage tank used for the storage, use or dispensing of regulated substances;

In the case of any underground storage tank in use before November 8, 1984, but no longer in use on that date, any person who owned such underground storage tank immediately before the

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discontinuance of its use. (42 U.S.C. 6991).

"Registration" means registration of an underground storage tank with the OSFM in accordance with Section 4 of the Gasoline Storage Act (430 ILCS 15/4).

"Site" means any single location, place, tract of land or parcel of property including contiguous property not separated by a public right-of-way. (Section 57.2 of the Act).

"Underground Storage Tank" or "UST" means any one or combination of tanks (including underground pipes connected thereto) which is used to contain an accumulation of regulated substances, and the volume of which (including the volume of underground pipes connected thereto) is 10 per centum or more beneath the surface of the ground. Such term does not include any of the following or any pipes connected thereto: Farm or residential tank of 1,100 gallons or less capacity used for storing motor fuel for noncommercial purposes; Septic tank;

Pipeline facility (including gathering lines) regulated under the Natural Gas Pipeline Safety Act of 1968 (49 U.S.C. App. 1671 et seq.), or the Hazardous Liquid Pipeline Safety Act of 1979 (49 U.S.C. App. 2001 et seq.), or which is an intrastate pipeline facility regulated under State laws as provided in either of these provisions of law, and which is determined by the Secretary to be connected to a pipeline or to be operated or intended to be capable of operating at pipeline pressure or as an integral part of a pipeline;

Surface impoundment, pit, pond, or lagoon;

Storm water or waste water collection system;

Flow-through process tank;

Liquid trap or associated gathering lines directly related to oil or gas production and gathering operations; or

Storage tank situated in an underground area (such as a basement, cellar, mineworking, drift, shaft, or tunnel) if the storage tank is situated upon or above the surface of the floor. (Derived from 42 U.S.C. 6991).

The term "underground storage tank" shall also mean an underground storage tank used exclusively to store heating oil for consumptive use on the premises where stored and which serves other than a farm or residential unit. (Section 57.2 of the Act).

SUBPART B: PLEADINGS AND PROCESS

Section 107.120 Who May File; Parties

Any owner or operator of an underground storage tank who has been issued an "Eligibility and Deductibility Final Determination" letter may file a petition

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with the Board seeking review of that final decision. The owner/operator shall be named as the petitioner, and the OSFM shall be named as the respondent. Filing requirements are set forth at 35 Ill. Adm. Code 101.Subpart A.

Section 107.121 Timely Petition

The petition for review must be filed with the Board within 35 days of the date of the OSFM's "Eligibility and Deductibility Final Determination" letter. There shall be a rebuttable presumption that petitioner received the OSFM's "Eligibility and Deductibility Final Determination" letter four days from the date indicated on the letter.

Section 107.122 Contents of the Petition

A petition for review must include:

- a) A copy of the OSFM's "Eligibility and Deductibility Final Determination" letter;
- b) A complete and precise description of the underground storage tank site, including but not limited to the location of the site, including the county, the number of underground storage tanks on-site, the substance(s) stored, the date of the tank(s) registration; and the date of IEMA notification;
- c) A concise statement of the relief being sought before the Board;
- d) A concise statement of the issues on review before the Board;
- e) If the owner or operator is represented by counsel, an appearance shall be filed in conjunction with the petition;
- f) Documentation to demonstrate the petitioner's timely filing; and
- g) A request to hold the hearing in either Springfield or Chicago, or a request to conduct hearing at a specified location other than Springfield or Chicago, specifying the reasons for that request. A hearing will be held in an alternate location only to prevent material prejudice or undue delay.

Section 107.123 Service

- a) The petitioner shall serve all filings upon the OSFM. All filings shall be accompanied by a notice of filing.
- b) Methods and proof of service, as well as the effective date of service, are governed by 35 Ill. Adm. Code 101.Subpart C.

Section 107.124 OSFM Appearance and Record

- a) The OSFM shall appear as a respondent.
- b) Within 14 days of receipt of the notice of filing of the petition for review, the OSFM shall file an appearance and the record before the Board. The record shall include all information which served as a basis for the OSFM's "Eligibility and Deductibility Final Determination" letter, including but not limited to:
 - 1) A copy of the "Eligibility and Deductibility Final Determination"

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letter;

- 2) A completed copy of the "Eligibility and Deductibility Determination Form" upon which the OSFM made its final determination;
- 3) Any and all correspondence with the applicant;
- 4) Any and all forms completed by the owner or operator which served as a basis for the OSFM final decision; and
- 5) Any memoranda or correspondence which served as a basis for the OSFM final decision.

SUBPART C: INITIAL BOARD ACTION

Section 107.140 Preliminary Board Determination: Accept for Hearing

- a) Upon receipt of the petition for review, unless the Board makes a preliminary determination that the petition is insufficient pursuant to Section 107.122, a hearing date and location will be assigned.
- b) If the petition does not satisfy Section 107.122, the case shall be referred to the Board for consideration pursuant to Section 107.141.

Section 107.141 Preliminary Board Determinations: Insufficient Petition

On its own motion, the Board may determine that a petition for review is untimely, insufficient, or otherwise improperly filed. If such a determination is made, the Board may either dismiss the petition or direct that an amended petition be filed. Upon the filing of a sufficient amended petition, the case may be set for hearing pursuant to Section 107.160.

SUBPART D: NOTICE OF HEARING

Section 107.160 Authorization of Hearing

- a) The Board will set a case for hearing. The hearing will be held within 60 days after the filing of the petition for review unless the Board orders otherwise to prevent material prejudice.
- b) The hearing will be held in either Springfield or Chicago or in such other place as the hearing officer or the Board may designate to prevent material prejudice or undue delay.
- c) Upon the case being set for hearing, the Clerk will cause notice of the hearing to be published. Public notice will be published at least 21 days before the hearing by public advertisement in a newspaper of general circulation in the county in which the UST site in question is located.

SUBPART E: AUTHORITY AND DUTIES OF HEARING OFFICERS

Section 107.180 Authority of Hearing Officers

The hearing officer shall have all powers necessary to schedule and conduct a

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fair hearing, including but not limited to the following:

- a) Issue discovery orders whenever the parties cannot agree upon the legitimate scope of discovery, including the setting of a schedule for the orderly submission of discovery;
- b) Issue protective orders pursuant to Section 107.201(e) below;
- c) Rule on objections to discovery pursuant to Section 107.201(f) below;
- d) Hold pre-hearing conferences for settlement, simplification of issues or any other purpose;
- e) At hearing, rule on objections and offers of proof, and receive evidence in accordance with Section 107.244 below;
- f) Administer oaths and affirmations;
- g) Regulate the course of the hearings, and the conduct of the parties and counsel;
- h) Consider and rule on any non-dispositive motions;
- i) Examine the witnesses to insure a clear and complete record;
- j) Determine that a witness is adverse or unwilling pursuant to Section 107.245 below; and
- k) Compel the appearance at hearing of an officer, director or employee of a party pursuant to Section 107.245 below.

Section 107.181 Duties of Hearing Officers

The hearing officer has the duty to take all necessary action to avoid delay, to maintain order, and to ensure development of a clear and complete record. Additionally, it is the hearing officer's duty to accomplish the following:

- a) Establish a schedule for submission of briefs to the Board. All schedules and any modifications to schedules shall be in writing, and shall be submitted to the Board by the hearing officer no later than 5 days after hearing;
- b) At the conclusion of the hearing, the hearing officer shall make a statement both on the record and in writing as to the credibility of witnesses. This statement shall be based on his legal judgment and experience and shall indicate whether he finds credibility to be an issue and if so, the reasons why. This statement shall become part of the official record;
- c) The hearing officer shall transmit to the Clerk any exhibits, offers of proof not included in the hearing transcript, any proposed stipulation and settlement, and any written statements submitted pursuant to Section 107.280(b); and
- d) The hearing officer shall file a copy of all correspondence, schedules and hearing officer orders with the Clerk, and serve all parties pursuant to 35 Ill. Adm. Code 101.142.

SUBPART F: PRE-HEARING MATTERS, DISCOVERY,
ADMISSIONS AND SUBPOENAS

Section 107.200 Pre-Hearing Conference

- a) On the hearing officer's own motion, or on motion by a party, the

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hearing officer may direct the parties or their attorneys to appear at a specified time and place for a conference for, among other reasons, the following purposes:

- 1) Simplifying the issues;
 - 2) Amending the pleadings for clarification, amplification, or limitation;
 - 3) Making admissions of fact or stipulating to the admissibility of any matter;
 - 4) Limiting the number of witnesses;
 - 5) Exchanging prepared testimony and exhibits; and
 - 6) Aiding in the simplification of the evidence and disposition of the proceeding.
- b) A pre-hearing conference may also be held by telephone.
 - c) Substantive action taken at the pre-hearing conference shall be noted by the hearing officer, either on the record at hearing or in writing.

Section 107.201 Discovery in General

- a) Scope of Discovery: All relevant information and information calculated to lead to relevant information is discoverable, unless privileged.
- b) Disagreements on Discovery: If the parties cannot agree on the scope of discovery or the time or location of any deposition, the hearing officer shall have the authority to order discovery or to deny requests for discovery.
- c) Time for Discovery: All discovery must be completed prior to the scheduled hearing in the case. Disputes over the timing of discovery shall be directed to the hearing officer.
- d) Purpose of Discovery: All depositions and interrogatories shall be for purposes of discovery only, except for the following purposes:
 - 1) Impeachment of the testimony of the deponent or interrogated person;
 - 2) As an admission of the deponent or interrogated person; and
 - 3) As evidence, upon motion to the hearing officer, upon a showing that at the time of hearing the person deposed or interrogated will not be available to participate in the hearing because of exceptional circumstances, including, but not limited to, death, age, sickness, infirmity, or absence from the country.
- e) Protective Orders: The hearing officer may, upon his own initiative, or on the motion of any party or witness, issue protective orders denying, limiting, conditioning or regulating discovery to prevent unreasonable expense, harassment, or oppression, and to expedite resolution of the proceeding.
- f) Objections to Discovery: Unless a claim of privilege is asserted, it is not a ground for objection that the testimony of a deponent or person interrogated will be inadmissible at hearing, if the information sought is reasonably calculated to lead to relevant information. All objections to rulings of the hearing officer shall be made on the record at hearing, or in writing prior to hearing.

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- g) Failure to Comply: Failure to comply with any order regarding discovery shall subject the offending persons to sanctions pursuant to Subpart K below.
- h) If any person in bad faith files any request for discovery or answers to discovery, or knowingly gives a false answer to discovery questions, the Board, upon motion or on its own initiative, may impose sanctions pursuant to Subpart K below.

Section 107.202 Subpoenas

Subpoenas are governed by the provisions of 35 Ill. Adm. Code 101.260.

SUBPART G: MOTION PRACTICE

Section 107.220 Filing and Contents of Motions and Responses

Filing and contents of motions are governed by 35 Ill. Adm. Code 101.241 and 101.242.

Section 107.221 Motions Attacking Jurisdiction or Sufficiency of the Pleadings

Motions attacking jurisdiction or the sufficiency of pleadings shall be filed pursuant to 35 Ill. Adm. Code 101.243.

Section 107.222 Motions Preliminary to Hearing

Motions preliminary to hearing (except motions to cancel hearing, governed by Section 107.225) shall be filed pursuant to 35 Ill. Adm. Code 101.245.

Section 107.223 Effect of Filing and Disposition of Motions

Provisions regarding the effect of filing a motion, and the disposition of motions, are set forth at 35 Ill. Adm. Code 101.247. Appeals of hearing officer rulings to the Board are governed by 35 Ill. Adm. Code 101.247(h).

Section 107.224 Voluntary Dismissal

A motion by petitioner to voluntarily dismiss an appeal shall be directed to the Board. Such motion may be made orally at hearing, or filed in writing prior to entry of the Board's decision. If made orally, that motion will be recorded by the hearing officer in writing and transmitted to the Board within 5 days of the close of that hearing.

Section 107.225 Motions to Cancel Hearing

- a) Time for Filing: Unless otherwise provided by Board or hearing officer order, requests for cancellation of hearing may be granted upon motion to the hearing officer, filed no less than 14 days before the scheduled hearing date. Any motion for cancellation filed less

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than 14 days before the hearing date may be granted only upon a showing by the movant that movant would suffer material prejudice if the hearing was not cancelled.

- b) Contents: All motions for cancellation shall be supported by an affidavit of the person or persons having knowledge of the facts supporting the request for cancellation. The affidavit shall include the factual bases for the cancellation, a complete status report detailing the progress of the proceeding, the number of cancellations previously granted, and a proposed date for rescheduling the hearing. The hearing officer shall grant the motion only upon a showing that the request for cancellation is not the result of lack of due diligence by the movant.

Section 107.226 Motions to Stay

- a) Motions to stay a proceeding shall be directed to the Board. All motions to stay shall include a complete status report detailing the progress of the proceeding and a proposed date for further action in the proceeding.
- b) The Board will act upon all motions to stay. If the motion to stay is granted, the Board may direct the hearing officer to require status reports during the pendency of the stay.
- c) At the conclusion of the stay, the hearing officer will contact the parties and establish a new hearing schedule, unless the case is otherwise resolved.

Section 107.227 Motions for Summary Judgment

- a) Motion: Any time after the opposing party has appeared (or after the expiration of time within which any party is required to appear), but no less than 21 days prior to the scheduled hearing, a party may move the Board for summary judgment for all or any part of the relief sought.
- b) Response: Any response to a motion for summary judgment shall be filed within 14 days from service of that motion.
- c) Reply: The moving party shall not have the right to reply to a response, unless allowed by the Board or the hearing officer to prevent material prejudice.
- d) Board Determination: The Board will enter summary judgment if the pleadings, depositions and admissions on file, together with any affidavits, show that there is no genuine issue of material fact, and that the moving party is entitled to judgment as a matter of law.

Section 107.228 Motions for Reconsideration

- a) Any motion for reconsideration or modification of a Board order shall be filed within 35 days of the adoption of the order.
- b) Any response to a motion for reconsideration or modification shall be filed within 14 days from the service of the motion.

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- c) A timely-filed motion for reconsideration or modification stays the effect of the final order until final disposition of the motion. The time for appeal of the Board order runs anew after the Board rules upon the motion unless otherwise provided.
- d) In ruling upon a motion under this Section, the Board will consider factors including, but not limited to, error in the decision and facts in the record which were overlooked.

SUBPART H: HEARINGS

Section 107.240 Hearings Open to the Public

All hearings conducted under this Part shall be open to the public.

Section 107.241 Order of Cases

In the event that more than one eligibility/deductibility determination appeal is scheduled for hearing on the same day, cases will be heard in numerical order, by docket number, with the exception that any case with a completed stipulation and settlement pursuant to Section 107.300 shall be heard first. The order of hearing of cases shall be subject to modification by the hearing officer in order to avoid material prejudice or undue delay.

Section 107.242 Order of Proceedings

- a) The following shall be the order of proceedings for all hearings:
- 1) Opening of the record of hearing and introduction of the parties by the hearing officer;
 - 2) Presentation, argument, and disposition of motions preliminary to hearing;
 - 3) Presentation of opening statements, with petitioner proceeding first and respondent proceeding second;
 - 4) Petitioner's case in chief;
 - 5) Respondent's case in chief;
 - 6) Oral and/or written statements from interested persons, as authorized by the hearing officer pursuant to Section 107.260 below;
 - 7) Respondent's case in rebuttal, limited to the rebutting of statements and assertions contained in the oral and written statements allowed pursuant to subsection (a)(6) above;
 - 8) Petitioner's case in rebuttal;
 - 9) Respondent's closing arguments, including legal arguments;
 - 10) Petitioner's closing arguments, including legal arguments; and
 - 11) Scheduling submission of written briefs, if any.
- b) The order of hearing specified in subsection (a) above shall be subject to modification by the hearing officer in order to avoid material prejudice or undue delay.

Section 107.243 Testimony at Hearing

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All witnesses shall be sworn and shall testify under oath. All testimony at hearing shall be subject to cross-examination by any party.

Section 107.244 Admissibility of Evidence

- a) Admissibility: The hearing officer shall admit evidence which is admissible under the rules of evidence as applied in the civil courts of Illinois, except as otherwise provided in this Part.
- b) Hearsay: The hearing officer may admit hearsay evidence which is material, relevant, and would be relied upon by prudent persons in the conduct of serious affairs, unless such evidence is privileged.
- c) When the admissibility of evidence depends upon an arguable interpretation of substantive law, the hearing officer shall admit such evidence.
- d) Scientific Articles and Treatises: Relevant scientific or technical articles, treatises, or materials may be introduced into evidence by a party, subject to refutation or disputation through introduction of documentary evidence or expert testimony.
- e) Written testimony: Written testimony may be introduced by a party only if the persons whose written testimony is introduced are available for cross-examination at hearing.
- f) Admission of business records: A writing or record, whether in the form of any entry in a book or otherwise made as a memorandum or record of any act, transaction, occurrence, or event, may be admissible as evidence of the act, transaction, occurrence, or event. To be admissible, the writing or record shall have been made in the regular course of business, provided it was the regular course of business to make such a memorandum or record at the time of such act, transaction, occurrence, or event, or within a reasonable time thereafter. All other circumstances of the making of the writing or record, including lack of personal knowledge by the entrant or maker, may be admitted to affect the weight of the evidence, but shall not affect admissibility. The term "business", as used in this subsection (f), includes business, profession, occupation, and calling of every kind.
- g) Prior Inconsistent Statements: Prior statements made under oath may be admitted to impeach a witness if the statement is inconsistent with the witness' testimony at hearing.

Section 107.245 Examination of Adverse and Hostile Witnesses

- a) Adverse Witnesses: At hearing, upon motion to the hearing officer, any party, or any person for whose immediate benefit the action is prosecuted or defended, or the officers, directors, managing agents, or foremen of any party may be called as an adverse witness. Adverse witnesses may be examined as if under cross-examination. The party calling for the adverse witness may rebut the testimony and may impeach the witness.
- b) Hostile Witnesses: If the hearing officer determines that any witness

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is hostile or unwilling, the witness may be examined by the party calling the witness as if under cross-examination.

Section 107.246 Amendment of Pleadings

Proof may depart from pleadings, and pleadings may be amended to conform with the proof, so long as no unfair surprise results that cannot be remedied by a continuance which could be granted consistent with the minimum timelines prescribed by this Part.

Section 107.247 Default

Failure of a party to appear on at the hearing, or failure to proceed as ordered by the Board or hearing officer, shall constitute default.

SUBPART I: PUBLIC PARTICIPATION

Section 107.260 Statements from Interested Persons

- a) Oral statements: The hearing officer may permit any person not a party and not otherwise a witness for a party, to make oral statements on the record when time, facilities and concerns for a clear and concise hearing record allow so. Such oral statements shall be made under oath and are subject to cross examination.
- b) Written statements: Any person not a party and not otherwise a witness for a party may submit written statements relevant to the subject matter at any time prior to hearing or at hearing. Any persons submitting such a statement shall be subject to cross examination by any party. Written statements submitted without the availability of cross-examination will be treated as public comment and shall be afforded lesser weight than evidence subject to cross examination.

SUBPART J: SETTLEMENT

Section 107.280 Settlement

- a) All parties to any case in which settlement is proposed shall file a proposed stipulation and settlement signed by all the parties or their authorized representatives, outlining the nature of, the reasons for, and the purpose to be accomplished by a settlement. The stipulation and settlement agreement must be accompanied by a motion to cancel hearing in accordance with Section 107.225.
 - 1) Parties wishing to settle without a hearing in the case, must file the information required in subsection (a) above with the Board, and serve upon the hearing officer, at least 14 days before the scheduled hearing date.
 - 2) Stipulations and settlement agreements not filed at least 14 days before the hearing shall be filed with the hearing officer at the time of the scheduled hearing.

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- b) The stipulation shall contain a full statement of all material facts pertaining to the nature of the OSPM's determination of deductibility or eligibility.
- c) If the provisions of subsection (a)(1) are fulfilled, the Board may accept a stipulation and settlement without a public hearing.

SUBPART K: POST-HEARING MATTERS

Section 107.300 Hearing Transcripts

The Board will provide for a court reporter who shall transcribe the entire hearing. The original transcription shall be filed with the Board. Any party or witness may move to correct the transcript within 7 days of the filing of the transcript with the Board.

Section 107.301 Written Briefs

- a) Except as otherwise directed by the Board, all briefs shall be filed in accordance with the briefing schedule established by the hearing officer pursuant to Section 107.181 above. Any party may move the Board for an extension of time to file briefs in accordance with Subpart G above.
- b) The briefs shall set forth the party's legal arguments including citation to authorities and to the pages of the record relied upon. All briefs shall comply with the provisions of 35 Ill. Adm. Code 101.104.
- c) The parties may waive their right to file a brief either orally on the record at hearing or by written motion.

Section 107.302 Record of Proceeding

All pleadings, motions, orders, briefs, the transcript of hearing, offers of proof, exhibits, and any written statements from the public, and stipulation and settlement agreements shall constitute the record.

SUBPART L: SANCTIONS

Section 107.320 Sanctions

The imposition of sanctions for refusal to comply with procedural rules, Board orders, or hearing officer orders, or for abuse of discovery procedures, are governed by 35 Ill. Adm. Code 101.Subpart J.

SUBPART M: FINAL BOARD ACTION

Section 107.340 Standard of Review

The standard of review of an OSPM final determination is whether the application, as submitted to OSPM, demonstrates compliance with the Act and

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Board regulations.

Section 107.341 Contents of Board Opinions

- a) The Board will issue a written opinion and order stating the facts and reasons leading to its decision.
- b) The Board's opinions and orders will include, but are not limited to, findings of fact and conclusions of law.

Section 107.342 Duties of the Clerk

The Clerk shall certify and maintain copies of the opinions and orders of the Board, with the vote of each Board member recorded. The Clerk shall serve all parties with a copy of such opinions and orders by certified mail, return receipt requested.

SUBPART N: MOTIONS FOR RECONSIDERATION
AND RELIEF FROM FINAL BOARD ORDERS

Section 107.360 Motions for Reconsideration

Motions for reconsideration of a final Board order shall be filed and acted upon pursuant to Section 107.228 above.

Section 107.361 Relief from Final Orders

- a) Clerical mistakes in orders or other parts of the record and errors therein arising from oversight or omission may be corrected by the Board at any time on its own initiative or on the motion of any party and after such notice, if any, as the Board orders. Such mistakes may be so corrected by the Board before any appeal is docketed in the appellate court. Thereafter, while the appeal is pending, such mistakes may be corrected only with leave of the appellate court. Any corrected order will be mailed to all parties and participants in that proceeding.
- b) On written motion, the Board may relieve a party from a final order entered in a contested case, for the following:
 - 1) Newly discovered evidence which existed at the time of hearing and which by due diligence could not have been timely discovered; or
 - 2) Fraud (whether intrinsic or extrinsic), misrepresentation, or other misconduct of an adverse party; or
 - 3) Void order, such as an order based upon defective subject-matter jurisdiction.
- c) A motion under this Section does not affect the finality of a Board order or suspend the operation of a Board order. The motion must be filed in the same proceeding in which the order was entered but is not a continuation of the proceeding. The motion must be supported by affidavit or other appropriate showing as to matters not of record,

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- d) and must be served on all parties to the proceeding.
- d) A motion under subsection (b) shall be filed with the Board within one year after entry of the order.
- e) Any response to a motion under this Section shall be filed within 14 days of the filing of the motion.

Section 107.362 Judicial Review of Final Board Orders

Judicial review of final Board orders shall be pursuant to Section 41 of the Act. Appeal is directly to the appellate court.

DEPARTMENT OF PROFESSIONAL REGULATION

DEPARTMENT OF PROFESSIONAL REGULATION

NOTICE OF PROPOSED AMENDMENT(S)

NOTICE OF PROPOSED AMENDMENT(S)

- 1) Heading of the Part: Illinois Occupational Therapy Practice Act
- 2) Code Citation: 68 Ill. Adm. Code 1315
- 3) Section Numbers: Proposed Action:
1315.130 Amendment
- 4) Statutory Authority: Implementing Section 16 of the Illinois Occupational Therapy Practice Act [225 ILCS 75/16].
- 5) A Complete Description of the Subjects and Issues Involved: This rulemaking raises the fee charged for a duplicate or replacement license from \$10 to \$20. The increase is in line with similar fees paid by other professions for the same service.
- 6) Will these proposed amendments replace an emergency rule currently in effect? No
- 7) Does this rulemaking contain an automatic repeal date? No
- 8) Do these proposed amendments contain incorporations by reference? No
- 9) Are there any other proposed amendments pending on this Part? No
- 10) Statement of Statewide Policy Objectives (if applicable): This rulemaking has no impact on local government.
- 11) Time, Place and Manner in which interested persons may comment on this proposed rulemaking:
Interested persons may submit written comments and views to:
Department of Professional Regulation
Attention: Jean A. Courtney
320 West Washington, 3rd Floor
Springfield, IL 62786
217/785-0800 Fax #: 217/782-7645

All comments received within 30 days of this issue of the Illinois Register will be considered. The comments of interested persons who submit a request to comment within 14 days of this issue will be considered if received within 30 days of such request.

- 12) Initial Regulatory Flexibility Analysis:

- A) Types of small businesses, small municipalities and not for profit corporations affected: Those employing licensed occupational therapists or occupational therapy assistants.
- B) Reporting, bookkeeping or other procedures required for compliance: A licensed occupational therapist or occupational therapy assistant who requests a duplicate or replacement license will be required to pay a fee of \$20 instead of the present \$10.
- C) Types of professional skills necessary for compliance: Occupational therapy skills are necessary for licensure.

The full text of the Proposed Amendment(s) begins on the next page(s):

DEPARTMENT OF PROFESSIONAL REGULATION

NOTICE OF PROPOSED AMENDMENT(S)

TITLE 68: PROFESSIONS AND OCCUPATIONS
 CHAPTER VII: DEPARTMENT OF PROFESSIONAL REGULATION
 SUBCHAPTER b: PROFESSIONS AND OCCUPATIONS

PART 1315

ILLINOIS OCCUPATIONAL THERAPY PRACTICE ACT

Section	
1315.90	Application for Licensure Under Section 14 of the Act (Repealed)
1315.100	Approved Programs
1315.110	Application for Licensure
1315.120	Examination
1315.130	Fees for the Administration of the Act
1315.140	Renewal
1315.150	Endorsement
1315.160	Restoration
1315.163	Supervision
1315.165	Professional Conduct
1315.170	Advertising
1315.180	Conduct of Hearings (Repealed)
1315.200	Granting Variances

AUTHORITY: Implementing the Illinois Occupational Therapy Practice Act [225 ILCS 75] and authorized by Section 60(7) of the Civil Administrative Code of Illinois [20 ILCS 2105/60(7)].

SOURCE: Emergency rules adopted at 8 Ill. Reg. 676, effective January 1, 1984, for a maximum of 150 days; adopted at 8 Ill. Reg. 16455, effective August 28, 1984; recodified from Chapter I, 68 Ill. Adm. Code 315 (Department of Registration and Education) to Chapter VII, 68 Ill. Adm. Code 1315 (Department of Professional Regulation) pursuant to P.A. 85-225, effective January 1, 1988, at 12 Ill. Reg. 2940; amended at 18 Ill. Reg. 7373, effective May 2, 1994; amended at 18 Ill. Reg. _____, effective _____.

Section 1315.130 Fees for the Administration of the Act

The following fees shall be paid to the Department for the functions performed by the Department under the Illinois Occupational Therapy Practice Act (411 Rev. Stat. 1991, Ch. 111, pars. 3701 through 3737) [225 ILCS 75] (the Act) and shall be non-refundable:

- The fee for application and for an original license as a registered occupational therapist or certified occupational therapy assistant is \$25. In addition, applicants may be required to pay, either to the Department or to the designated testing service, a fee for the cost of providing the examination;
- The fee for the renewal of a license as a registered occupational therapist is \$20 per year;
- The fee for the renewal of a license as a certified occupational therapy assistant is \$10 per year;

DEPARTMENT OF PROFESSIONAL REGULATION

NOTICE OF PROPOSED AMENDMENT(S)

- The fee for a license as a registered occupational therapist or a certified occupational therapy assistant by endorsement from another jurisdiction is \$50;
- The fee for restoration of a license that has been placed on inactive status is the current renewal fee;
- The fee for restoration of a license other than from inactive status is \$10 plus payment of all lapsed renewal fees, not to exceed \$110;
- The fee for certification of a license is \$20;
- The fee for a duplicate or replacement license is \$10 \$20;
- The fee for a wall certificate showing licensure is the actual cost of producing the certificate;
- The fee for a change of name or address on a licensee's record, other than during renewal, is \$20;
- The fee for a roster of licensees is the actual cost of producing the roster [(total number of registrants in list required) times the Multiplier (cost of paper), plus Fixed Costs (such as personnel handling and forms)].

(Source: Amended at 18 Ill. Reg. _____, effective _____)

DEPARTMENT OF PROFESSIONAL REGULATIONS

NOTICE OF PROPOSED AMENDMENTS

- 1) Heading of the Part: Podiatric Medical Practice Act of 1987
- 2) Code Citation: 68 Ill. Adm. Code 1360
- 3) Section Numbers:
- | | |
|---------|-------------|
| 1360.30 | Amendment |
| 1360.40 | Amendment |
| 1360.45 | Amendment |
| 1360.50 | Amendment |
| 1360.60 | Amendment |
| 1360.65 | Amendment |
| 1360.86 | New Section |
- Proposed Action:

- 4) Statutory Authority: [225 ILCS 100/6, 8, 9, 12, 15, 17 and 26].

- 5) A Complete Description of the Subjects and Issues Involved: Section 26 of the Podiatric Medical Practice Act of 1987 requires that the chief administrator or executive officer of any health care institution licensed by the Department of Public Health report to the Podiatric Medical Licensing Board concerning impaired podiatric physicians. This rulemaking establishes procedures for these reports, including required content, when and where to submit the reports and the need for confidentiality.

This rulemaking also identifies the licensure examination for podiatric physicians as the National Board of Podiatric Medical Examiners (NBPMPE) PM Lexis, with passage of the exam determined by NBPMPE standards. In addition to passing Parts I and II of the national exam, applicants for licensure in Illinois also must pass the PM Lexis examination, administered by the Department or its designated testing service, with a score of 75 or better.

Applicants for licensure in Illinois by endorsement from other jurisdictions will be required to provide verification of successful completion of one year of post-graduate training approved by the Council on Podiatric Medical Education of the American Podiatric Medical Association, which includes an internship or preceptorship for individuals who were licensed after January 1, 1992.

The application fee for renewal of a temporary certificate was removed from the rules because the fee is now set forth in Section 18 of the Act.

- 6) Will these proposed amendments replace emergency amendments currently in effect? No.
- 7) Does this rulemaking contain an automatic repeal date? No
- 8) Do these proposed amendments contain incorporations by reference? No

DEPARTMENT OF PROFESSIONAL REGULATIONS

NOTICE OF PROPOSED AMENDMENTS

- 9) Are there any other proposed amendments pending on this Part? No
- 10) Statement of Statewide Policy Objectives (if applicable): This rulemaking has no impact on local government.

- 11) Time, Place and Manner in which interested persons may comment on this proposed rulemaking:

Interested persons may submit written comments and views to:

Department of Professional Regulation
Attention: Jean A. Courtney
320 West Washington, 3rd Floor
Springfield, IL 62786
217/785-0800 Fax #: 217/782-7645

All comments received within 30 days of this issue of the Illinois Register considered. The comments of interested persons who submit a request to comment within 14 days of this issue will be considered if received within 30 days of request.

- 12) Initial Regulatory Flexibility Analysis:

A) Types of small businesses, small municipalities and not for profit corporations affected: Podiatrists and health care institutions utilizing licensed podiatrists.

B) Reporting, bookkeeping or other procedures required for compliance: This rulemaking sets forth procedures for mandatory reporting of impaired podiatric physicians by health care institution. The reports are required by the Act. The initial report must be submitted within 60 days after it is determined that a report is necessary under the Act and Rules. Periodic reports must be submitted to the Licensing Board every six months, commencing with the time of filing the initial report.

C) Types of professional skills necessary for compliance: Podiatric education and experience are required for licensure of podiatric physicians. Mandatory reporting requirements are the responsibility of chief administrators or executive officers of health care institutions licensed by the Department of Public Health.

The full text of the Proposed Amendments begins on the next page:

DEPARTMENT OF PROFESSIONAL REGULATIONS

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TITLE 68: PROFESSIONS AND OCCUPATIONS
CHAPTER VII: DEPARTMENT OF PROFESSIONAL REGULATION
SUBCHAPTER b: PROFESSIONS AND OCCUPATIONS

PART 1360
PODIATRIC MEDICAL PRACTICE ACT OF 1987

Section	Health Care
1360.10	Statutory Authority (Repealed)
1360.20	Approved Colleges of Podiatry
1360.30	Application for Examination
1360.40	Written-Clinical-Competency Examination
1360.45	Application for Licensure on the Basis of Examination
1360.50	Endorsement
1360.55	Renewals
1360.60	Restoration
1360.65	Temporary Licenses
1360.70	Continuing Education
1360.75	Visiting Professor Permits
1360.80	Definition of "Human Foot" (Repealed)
1360.85	Advertising
1360.86	Mandatory Reporting of Impaired Podiatric Physicians by Institutions
1360.90	Granting Variances
APPENDIX A	Curriculum Requirements (Repealed)
APPENDIX B	Clinical Training Requirements (Repealed)

AUTHORITY: Implementing the Podiatric Medical Practice Act of 1987 [225 ILCS 100] and authorized by Section 60(7) of the Civil Administrative Code of Illinois [20 ILCS 2105/60(7)].

SOURCE: Adopted at 4 Ill. Reg. 50, p. 58, effective December 3, 1980; codified at 5 Ill. Reg. 11053; amended at 5 Ill. Reg. 14171, effective December 3, 1981; emergency amendment at 6 Ill. Reg. 915, effective January 6, 1982, for a maximum of 150 days; amended at 6 Ill. Reg. 7448, effective June 15, 1982; amended at 6 Ill. Reg. 8402, effective July 2, 1982; amended at 7 Ill. Reg. 7668, effective June 15, 1983; amended at 9 Ill. Reg. 5377, effective April 4, 1985; transferred from Chapter I, 68 Ill. Adm. Code 360 (Department of Registration and Education) to Chapter VII, 68 Ill. Adm. Code 1360 (Department of Professional Regulation) pursuant to P.A. 85-225, effective January 1, 1988, at 12 Ill. Reg. 2962; amended at 13 Ill. Reg. 4234, effective March 21, 1989; amended at 14 Ill. Reg. 701, effective December 28, 1989; amended at 16 Ill. Reg. 13281, effective August 18, 1992; amended at 18 Ill. Reg. _____, effective _____.

Section 1360.30 Application for Examination

An applicant for the National Board of Podiatric Medical Examiners (NBPME) PM

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Lexis examination for licensure as a podiatric physician shall file an application with the Department or its designated testing service, on forms supplied by the Department, at least 60 days prior to an examination date. The application shall include:

- A complete work history indicating all employment since graduation from an approved podiatric medical program which meets the requirements set forth in Section 1360.20;
- Certification of graduation from an approved podiatric medical program;
- Proof of passage a minimum score of 75 in all subject areas of Part I and Part II of the examination given by the National Board of Podiatric Medical Examiners (NBPME) by NBPME standards. The applicant shall have the scores submitted to the Department or its designated testing service directly from NBPME; and
- The required fee as provided for in Section 18(A)(2) of the Act.

(Source: Amended at 18 Ill. Reg. _____, effective _____.)

Section 1360.40 Examination Written-Clinical-Competency Examination

- Each applicant for licensure as a podiatric physician in the State of Illinois shall be required to take the PM Lexis written-clinical competency examination administered by the Department or its designated testing service.
- A passing grade on the PM Lexis written-clinical-competency examination is 75.

(Source: Amended at 18 Ill. Reg. _____, effective _____.)

Section 1360.45 Application for Licensure on the Basis of Examination

- Each applicant for licensure as a podiatric physician in the State of Illinois, pursuant to the Podiatric Medical Practice Act of 1987 (111 Rev. Stat. 1987, ch. 111, par. 4801 et seq.) [225 ILCS 100] (the Act), shall file an application with the Department which includes:
 - A complete work history indicating all employment since graduation from an approved podiatric medical program that meets the requirements set forth in Section 1360.20;
 - Certification of graduation from an approved podiatric medical program;
 - Proof of passage by NBPME standards a minimum score of 75 in all subject areas of Part I and Part II of the examination given by the National Board of Podiatric Medical Examiners. The applicant shall have the scores submitted to the Department directly from NBPME;
 - Proof of successful completion of the written-clinical-competency PM Lexis examination in accordance with Section 1360.40 of this

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Part;

- 5) Proof of successful completion of one year of postgraduate training approved by the Council on Podiatric Medical Education of the American Podiatric Medical Association which includes residency and preceptorship programs; and
 - 6) The required fee set forth in Section 18(A)(1) of the Act.
- b) An applicant who has successfully completed in another jurisdiction a written clinical competency examination recognized by the Department pursuant to Section 1360.40 shall have the examination scores submitted directly to the Department by the reporting entity.

(Source: Amended at 18 Ill. Reg. _____, effective _____)

Section 1360.50 Endorsement

- a) An applicant for licensure as a podiatric physician who is licensed under the laws of another jurisdiction shall file an application with the Department which shall include:

- 1) A certification from the jurisdiction of original licensure, stating:
 - A) The time during which the applicant was licensed in that jurisdiction; and
 - B) Whether the file on the applicant contains any record of any disciplinary actions taken or pending.
- 2) A complete work history indicating all employment since graduation from a program which meets the requirements set forth in Section 1360.20;
- 3) Certification of successful completion of Parts I and II of the examination given by the National Board of Podiatric Medical Examiners; or any other examination which was a requirement of original licensure;
- 4) Verification of successful completion of one year of post-graduating training approved by the Council on Podiatric Medical Education of the American Podiatric Medical Association, which includes an internship or preceptorship for individuals who were licensed after January 1, 1992.

5) A copy of the Act and/or rules which were in effect in the jurisdiction of original licensure;

6) Passage of the written clinical competency examination set forth in Section 1360.40; and

7) The required fee set forth in Section 18(A)(1) of the Act.

8) The Department may, in individual cases, upon recommendation of the Director, waive the written clinical competency examination set forth in Section 1360.40 for an applicant by endorsement, after full consideration of his/her podiatric education, training and experience, including, but not limited to, whether he/she has achieved special honors or awards, has had articles published in professional journals, has participated in writing

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textbooks relating to podiatric medicine, and any other attribute which that the Director accepts as evidence that such applicant has outstanding and proven ability in podiatry.

- b) The Department shall examine each endorsement application to determine whether the requirements in such jurisdiction at the date of licensing were substantially equivalent to the requirements then in force in this State and whether the applicant has otherwise complied with the Act. The Department shall within a reasonable time either issue a certificate of registration by endorsement to the applicant or notify him/her of the reasons for the denial of his application.

(Source: Amended at 18 Ill. Reg. _____, effective _____)

Section 1360.60 Restoration

- a) A person seeking restoration of a license that which has expired for less than five (5) years shall have the license restored upon payment of \$100 plus all lapsed renewal fees required by Section 18(A)(4) of the Act and proof of 50 hours of continuing education, as defined in Section 1360.70 of this Part, earned within the 2 years preceding restoration of the license.

- b) A person seeking restoration of a license that which has been placed on inactive status for less than five (5) years shall have the license restored upon payment of the current renewal fee and proof of 50 hours of continuing education, as defined in Section 1360.70 of this Part, earned within 2 years preceding the restoration of the license.

- c) A person seeking restoration of a license after it has expired or been placed on inactive status for more than five (5) years shall file an application, on forms supplied by the Department, together with the fee required by Section 18(A)(4) of the Act and be scheduled for an interview before the Board. The person shall also submit either:

- 1) Certification of active practice in another jurisdiction and proof of 50 hours continuing education as defined in Section 1360.70 of this Part during the 2 years prior to restoration. Such evidence shall include a statement from the appropriate board or licensing authority in the other jurisdiction that the applicant was authorized to practice during the term of active practice; or
- 2) An affidavit attesting to military service as provided in Section 15 of the Act; or

- 3) Proof of successful completion of a written competency examination in accordance with Section 1360.40 of the PM Lexis within one year of before application applying for restoration.

- d) When the accuracy of any submitted documentation or the relevance or sufficiency of the course work or experience is questioned by the Department because of lack of information, discrepancies or conflicts in information given, or a need for clarification, the licensee seeking restoration of a license shall be requested to:

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- 1) Provide such information as may be necessary; and/or
- 2) Appear for an interview before the Board to explain such relevance or sufficiency, clarify information or clear up any discrepancies or conflicts in information. Upon the recommendation of the Board and approval by the Department, an applicant shall have the license restored.

(Source: Amended at 18 Ill. Reg. _____, effective _____)

Section 1360.65 Temporary Licenses

a) An applicant for a temporary license to pursue postgraduate training shall file an application with the Department, on forms provided by the Department, which includes the following:

- 1) A complete work history indicating all employment since graduation from an approved podiatric medical program that which meets the requirements set forth in Section 1360.20;

2) Either:

- A) Certification of graduation from an approved podiatric medical program; or
- B) Certification that the applicant will graduate from an approved podiatric medical program before entering into the postgraduate training. This certification shall be signed by the director or registrar of the applicant's podiatric medical program.

3) Proof of successful completion by NBPME standards ~~a minimum score of 75 in all subject areas~~ of Part I and Part II of the examination given by the National Board Podiatric Medical Examiners (NBPME). The applicant shall have his scores submitted to the Department or its designated testing service, directly from NBPME.

4) Proof that the applicant has been accepted or appointed to a position in a postgraduate program approved by the Council on Podiatric Medical Education of the American Podiatric Medical Association which includes residencies and preceptorships.

5) The required fee set forth in Section 18(A)(1) of the Act.

b) A temporary license shall be valid for one year.

c) Temporary licenses may be renewed one time in the following situations:

- 1) Serving full-time in the Armed Forces;
- 2) An incapacitating illness documented by a currently licensed physician; or
- 3) Proof of continuance of a postgraduate training program.

d) A licensee applying for renewal of his a temporary certificate shall pay to the Department the a fee set forth in Section 18(3) of the Act ~~of 520 to cover the printing of a new temporary license.~~

e) If a temporary license holder terminates or is discharged from a residency or preceptorship program, the temporary license shall be

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null and void. If the licensee changes his his/her preceptorship or residency program, he he/she shall reapply for a new temporary license.

f) If the licensee applies for a permanent podiatric physician license while holding a temporary license, no permanent license shall be issued until the temporary license is returned to the Department.

(Source: Amended at 18 Ill. Reg. _____, effective _____)

Section 1360.86 Mandatory Reporting of Impaired Podiatric Physicians by Health Care Institutions

a) Section 26 of the Act requires that the chief administrator or executive officer of any health care institution licensed by the Department of Public Health report to the Podiatric Medical Licensing Board concerning impaired persons. All instances in which a person licensed under the Podiatric Medical Practice Act of 1987 is impaired by reason of age, drug or alcohol abuse or physical or mental impairment, is under supervision, and where appropriate, is in a program of rehabilitation, must be reported to the Board. The reports must contain sufficient current information to enable the Board to evaluate the impairment and determine the appropriateness of the supervision of the program of rehabilitation. If the Board finds the supervision or treatment plan submitted by the institution is not sufficient to meet the needs of the individual, the Board may direct the facility to work with Department staff to revise the plan or treatment to meet the specific objections.

b) Contents of Reports. Reports of impaired persons shall be submitted in writing, on forms provided by the Department, which shall include but not be limited to the following information:

- 1) The name, address, telephone number and title of the person making the report;
- 2) The name, address, telephone number and type of health care institution where the maker of the report is employed;
- 3) The name, address, telephone number, and professional license number of the person who is the subject of the report;
- 4) A means of identification used by the institution of any patient or patients whose treatment is a subject of the report, provided, however, no medical records may be revealed without the written consent of the patient or patients; and further provide that the Board may require disclosure of the name, address and telephone number of any such patient if it deems such information necessary to an evaluation of the impairment or a determination of the appropriateness of the supervision or program of rehabilitation; The nature of the impairment and brief description of the facts that gave rise to the issuance of the report, including the dates of any occurrences deemed to necessitate the filing of the report;

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- 6) The terms and conditions of the supervision under which the subject of the report is conducting his/her activities or practice, including the date supervision commenced; the term of the supervision; the name, address and telephone number of the person in charge of the subject's supervision; and a written consent executed by the subject of the report, authorizing the Board, the Department staff or other designated representative of the Board to contact the person in charge of the subject's supervision for information, including written documentation, in order to evaluate the progress of the subject's supervision;
- 7) If the subject of the report is in a program of rehabilitation, the name, address and telephone number of the program and the name and position of any individual in charge of the program; and
- 8) Any other information deemed by the reporting person to be of assistance to the Board and the Department staff in evaluating the report, including, but not limited to, the following items: drug screens being used and their status; relapses and actions taken; attendance at work; observations of recovery status and level of cooperation in recovery; other psychopathology, known related physical and mental illnesses; involvement of the family and others in treatment or supervision; and a copy of the aftercare agreement.
- c) Reports of impaired persons shall be submitted to the Board in a timely manner. The initial report shall be submitted on forms provided by the Department within sixty (60) days after it is determined that a report is necessary under the Act and this Part. Periodic reports (which evidence written documentation of the progress of suspension or rehabilitation) shall thereafter be submitted to the Licensing Board every six (6) months, commencing with the time of the filing of the initial report. A copy of each report shall be sent by the person making the report to the impaired person.
- d) Confidentiality
- 1) The contents of any report shall be strictly confidential, except as otherwise provided in this subsection, and exempt from public disclosure, but may be reviewed by:
- A) Members of the Board or their designees;
 - B) The Board's designated attorneys;
 - C) The Department staff;
 - D) Administrative personnel assigned to open mail containing reports and to process and distribute said reports to authorized persons, and to communicate with senders of reports; and
 - E) The person who is the subject of the report, his/her attorney or his/her authorized representative (as evidenced by a written authorization signed by the person who is the subject of the report).
- 2) The reports may also be handled or processed by other designated persons in a limited manner necessary to implement reports required under this Act by computer, word processing equipment or

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- other mechanical means. The data record shall be limited to the name and address of the originator of the report, the date the initial report was received, the date of the most recent report and the professional license number of the subject of the report.
- 3) The contents of the confidential reports relating to impaired persons shall not be used or made available in any other administrative proceedings before the Department of Professional Regulation or any other department; however, violations of the treatment or supervision plan will result in a review of the person's status by the Board, or their designees for possible discipline or revision in the treatment or supervision plan. Such reports shall not be disclosed, made available or subject to subpoena or discovery proceedings in any civil or criminal court proceedings.
- e) Upon a determination by the Board that a report or reports on an impaired person no longer require review and consideration, the Board shall notify the maker of the reports to cease sending such reports and the Board and Department records shall be purged of information contained in the reports. Such determinations shall be based on, but not be limited to: the type of impairment and the type of rehabilitation program, length of supervision, occurrence of any relapses and present status of license.
- f) Whenever any chief administrative or chief executive officer of any health care institution makes a report or provides other information to the Board, or assists the Board concerning an impaired person, acts in good faith and not in a willful and wanton manner, said chief administrative or chief executive officer, and the health care institution employing him, shall not, as a result of such actions, be subject to criminal prosecution or civil damages (Section 23(c) of the Act).
- g) The following definitions shall apply to this Section:
- 1) "Impaired" means the inability to practice medicine with reasonable skill and safety due to physical or mental disabilities, as evidenced by a written evaluation or clinical evidence that reveals a deterioration of the physician's ability to deliver competent care due to problems related to aging, loss of motor skill, abuse of drugs or alcohol or mental illness.
 - 2) "Under supervision" means that the performance of the impaired person's clinical privileges and status of the person's impairment is being observed and monitored under the authority of a written directive issued in accordance with a health care institution's or medical staff's bylaws or rules and regulations.

(Source: Added at 18 Ill. Reg. _____, effective _____)

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- 1) Heading of the Part: Aid to Families with Dependent Children
- 2) Code Citation: 89 Ill. Adm. Code 112
- 3) Section Numbers:
112.70 Amendment
112.78 Amendment
- 4) Statutory Authority: Section 12-13 of the Illinois Public Aid Code (Ill. Rev. Stat. 1991, ch. 23, pars. 12-13)[305 ILCS 5/12-13]
- 5) Complete Description of the Subjects and Issues Involved: The purpose of the Jobs Opportunities and Basic Skills Training (JOBS) program is to assure that needy individuals and families obtain education, training and employment that will help avoid long-term welfare dependence. JOBS offers a wide variety of intensive activities aimed at assisting the participant to acquire the education and skills needed to meet the demands of the current labor market as well as in the future. JOBS focuses on enhancing the long-term employability of AFDC clients by assessing the individual capabilities of each program participant, allowing to the greatest extent possible the individual's preferences in completing the employability plan and matching the participant to a suitable activity.

Pursuant to the provisions of Title II of the Family Support Act of 1988, Public Law 100-485 and 45 CFR 250.33, this rulemaking changes the participation requirements for the Unemployed Parents Work Experience component of JOBS. These proposed amendments allow both parents in an AFDC-U case to participate in the Unemployed Parents Work Experience component unless one or both parents are exempt. As a result of this rulemaking, parents in the AFDC-U case may be required to participate in the Unemployed Parents Work Experience component unless they are exempt under the exemption criteria listed in Section 112.71.

- 6) Will these proposed amendments replace emergency amendments currently in effect? No
- 7) Does this rulemaking contain an automatic repeal date? No
- 8) Do these proposed amendments contain incorporations by reference? No
- 9) Are there any other proposed amendments pending on this Part? Yes

Sections	Proposed Action	Illinois Register Citation
112.82	Amendment	May 13, 1994 (18 Ill. Reg. 7208)
112.110	Amendment	March 25, 1994 (18 Ill. Reg. 4546)
112.151	Amendment	March 25, 1994 (18 Ill. Reg. 4546)

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- 10) Statement of Statewide Policy Objectives: These proposed amendments do not affect units of local government.
 - 11) Time, Place, and Manner in which Interested Persons may comment on this proposed rulemaking: Any interested parties may submit comments, data, views, or arguments concerning this proposed rulemaking. All comments must be in writing and should be addressed to Judy Umunna, Bureau of Rules and Regulations, Illinois Department of Public Aid, 100 South Grand Ave., E., 3rd Floor, Springfield, Illinois 62762. The Department will consider all written comments it receives within 30 days after the publication of this notice.
- These proposed amendments may have an impact on small businesses, small municipalities, and not for profit corporations as defined in Sections 1-75, 1-80 and 1-85 of the Illinois Administrative Procedure Act. These entities may submit comments in writing to the Department at the above address in accordance with the regulatory flexibility provisions in Section 5-30 of the Illinois Administrative Procedure Act. These entities shall indicate their status as small businesses, small municipalities, or not for profit corporations as part of any written comments they submit to the Department.

12) Initial Regulatory Flexibility Analysis:

- A) Date proposed rulemaking was submitted to the Business Assistance Office of the Department of Commerce and Community Affairs: Not applicable
- B) Types of small businesses affected: None
- C) Reporting, bookkeeping or other procedures required for compliance: None
- D) Types of professional skills necessary for compliance: None

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TITLE 89: SOCIAL SERVICES
CHAPTER I: DEPARTMENT OF PUBLIC AID
SUBCHAPTER b: ASSISTANCE PROGRAMS

PART 112

AID TO FAMILIES WITH DEPENDENT CHILDREN

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112.90	Project Advance Sanctions
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 112.412 Participant Rights and Responsibilities
 112.414 Child Care Overpayments and Recoveries
 112.416 Fees for Service for Transitional Child Care
 112.418 Rates of Payment for Transitional Child Care

AUTHORITY: Implementing Article IV and authorized by Section 12-13 of the Illinois Public Aid Code (Ill. Rev. Stat. 1991, ch. 23, pars. 4-1 et seq. and 12-13) [305 ILCS 5/Art. IV and 5/12-13].

SOURCE: Filed effective December 30, 1977; peremptory amendment at 2 Ill. Reg. 17, p. 117, effective February 1, 1978; amended at 2 Ill. Reg. 31, p. 134, effective August 5, 1978; emergency amendment at 2 Ill. Reg. 37, p. 4, effective August 30, 1978, for a maximum of 150 days; peremptory amendment at 2 Ill. Reg. 46, p. 44, effective November 1, 1978; peremptory amendment at 2 Ill. Reg. 46, p. 56, effective November 1, 1978; emergency amendment at 3 Ill. Reg. 16, p. 41, effective April 9, 1979, for a maximum of 150 days; emergency amendment at 3 Ill. Reg. 28, p. 182, effective July 1, 1979, for a maximum of 150 days; amended at 3 Ill. Reg. 33, p. 399, effective August 18, 1979; amendment at 3 Ill. Reg. 33, p. 415, effective August 18, 1979; amended at 3 Ill. Reg. 38, p. 243, effective September 21, 1979, peremptory amendment at 3 Ill. Reg. 38, p. 321, effective September 7, 1979; amended at 3 Ill. Reg. 40, p. 140, effective October 6, 1979; amended at 3 Ill. Reg. 46, p. 36, effective November 2, 1979; amended at 3 Ill. Reg. 47, p. 96, effective November 13, 1979; amended at 3 Ill. Reg. 48, p. 1, effective November 15, 1979; peremptory amendment at 4 Ill. Reg. 9, p. 259, effective February 22, 1980; amended at 4 Ill. Reg. 10, p. 258, effective February 25, 1980; amended at 4 Ill. Reg. 12, p. 551, effective March 10, 1980; amended at 4 Ill. Reg. 27, p. 387, effective June 24, 1980; emergency amendment at 4 Ill. Reg. 29, p. 294, effective July 8, 1980, for a maximum of 150 days; amended at 4 Ill. Reg. 37, p. 797, effective September 2, 1980; amended at 4 Ill. Reg. 37, p. 800, effective September 2, 1980; amended at 4 Ill. Reg. 45, p. 134, effective October 27, 1980; amended at

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5 Ill. Reg. 766, effective January 2, 1981; amended at 5 Ill. Reg. 1134, effective January 26, 1981; peremptory amendment at 5 Ill. Reg. 5722, effective June 1, 1981; amended at 5 Ill. Reg. 7071, effective June 23, 1981; amended at 5 Ill. Reg. 7104, effective June 23, 1981; amended at 5 Ill. Reg. 8041, effective July 27, 1981; amended at 5 Ill. Reg. 8052, effective July 24, 1981; peremptory amendment at 5 Ill. Reg. 8106, effective August 1, 1981; peremptory amendment at 5 Ill. Reg. 10062, effective October 1, 1981; peremptory amendment at 5 Ill. Reg. 10079, effective October 1, 1981; peremptory amendment at 5 Ill. Reg. 10095, effective October 1, 1981; peremptory amendment at 5 Ill. Reg. 10113, effective October 1, 1981; peremptory amendment at 5 Ill. Reg. 10124, effective October 1, 1981; peremptory amendment at 5 Ill. Reg. 10131, effective October 1, 1981; amended at 5 Ill. Reg. 10730, effective October 1, 1981; amended at 5 Ill. Reg. 10733, effective October 1, 1981; amended at 5 Ill. Reg. 10760, effective October 1, 1981; amended at 5 Ill. Reg. 10767, effective October 1, 1981; peremptory amendment at 5 Ill. Reg. 11647, effective October 16, 1981; peremptory amendment at 6 Ill. Reg. 611, effective January 1, 1982, amended at 6 Ill. Reg. 1216, effective January 14, 1982; emergency amendment at 6 Ill. Reg. 2447, effective March 1, 1982, for a maximum of 150 days; peremptory amendment at 6 Ill. Reg. 2452, effective February 11, 1982; peremptory amendment at 6 Ill. Reg. 6475, effective May 18, 1982; peremptory amendment at 6 Ill. Reg. 6912, effective May 20, 1982; emergency amendment at 6 Ill. Reg. 7299, effective June 2, 1982, for a maximum of 150 days; amended at 6 Ill. Reg. 8115, effective July 1, 1982; amended at 6 Ill. Reg. 8142, effective July 1, 1982; amended at 6 Ill. Reg. 8159, effective July 1, 1982; amended at 6 Ill. Reg. 10970, effective August 26, 1982; amended at 6 Ill. Reg. 11921, effective September 21, 1982; amended at 6 Ill. Reg. 12293, effective October 1, 1982; amended at 6 Ill. Reg. 12318, effective October 1, 1982; amended at 6 Ill. Reg. 13754, effective November 1, 1982; rules repealed, new rules adopted and codified at 7 Ill. Reg. 907, effective January 11, 1983; rules repealed and codified at 7 Ill. Reg. 2720, effective February 28, 1983; amended (by adding Sections being codified with no substantive change) at 7 Ill. Reg. 5195; amended at 7 Ill. Reg. 11284, effective August 26, 1983; amended at 7 Ill. Reg. 13920, effective October 7, 1983; amended at 7 Ill. Reg. 15690, effective November 9, 1983; amended (by adding sections being codified with no substantive change) at 7 Ill. Reg. 16105; amended at 7 Ill. Reg. 17344, effective December 21, 1983; amended at 8 Ill. Reg. 213, effective December 27, 1983; emergency amendment at 8 Ill. Reg. 569, effective January 1, 1984, for a maximum of 150 days; amended at 8 Ill. Reg. 4176, effective March 19, 1984; amended at 8 Ill. Reg. 5207, effective April 9, 1984; amended at 8 Ill. Reg. 7226, effective May 16, 1984; amended at 8 Ill. Reg. 11391, effective June 27, 1984; amended at 8 Ill. Reg. 12333, effective June 29, 1984; amended (by adding Sections being codified with no substantive change) at 8 Ill. Reg. 17894; peremptory amendment at 8 Ill. Reg. 18127, effective October 1, 1984; peremptory amendment at 8 Ill. Reg. 19889, effective October 1, 1984; amended at 8 Ill. Reg. 19983, effective October 3, 1984; emergency amendment at 8 Ill. Reg. 21666, effective October 19, 1984 for a maximum of 150 days; amended at 8 Ill. Reg. 21621, effective October 23, 1984; amended at 8 Ill. Reg. 25023, effective December 19, 1984; amended at 9 Ill. Reg. 282, effective January 1, 1985; amended at 9 Ill. Reg. 4062, effective March 15, 1985; amended at 9 Ill.

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Reg. 8155, effective May 17, 1985; emergency amendment at 9 Ill. Reg. 10094, effective June 19, 1985, for a maximum of 150 days; amended at 9 Ill. Reg. 11317, effective July 5, 1985; amended at 9 Ill. Reg. 12795, effective August 9, 1985; amended at 9 Ill. Reg. 15887, effective October 4, 1985; amended at 9 Ill. Reg. 16277, effective October 11, 1985; amended at 9 Ill. Reg. 17827, effective November 19, 1985; emergency amendment at 10 Ill. Reg. 354, effective January 1, 1986, for a maximum of 150 days; amended at 10 Ill. Reg. 1172, effective January 10, 1986; amended at 10 Ill. Reg. 3641, effective January 30, 1986; amended at 10 Ill. Reg. 4885, effective March 7, 1986; amended at 10 Ill. Reg. 8118, effective May 1, 1986; amended at 10 Ill. Reg. 10628, effective June 1, 1986; amended at 10 Ill. Reg. 11017, effective June 6, 1986; Sections 112.78 through 112.86 and 112.88 recodified to 89 Ill. Adm. Code 160 at 10 Ill. Reg. 11928; emergency amendment at 10 Ill. Reg. 12107, effective July 1, 1986, for a maximum of 150 days; amended at 10 Ill. Reg. 12650, effective July 14, 1986; amended at 10 Ill. Reg. 14681, effective August 29, 1986; amended at 10 Ill. Reg. 15101, effective September 5, 1986; amended at 10 Ill. Reg. 15621, effective September 19, 1986; amended at 10 Ill. Reg. 21860, effective December 12, 1986; amended at 11 Ill. Reg. 2280, effective January 16, 1987; amended at 11 Ill. Reg. 3140, effective January 30, 1987; amended at 11 Ill. Reg. 4682, effective March 6, 1987; amended at 11 Ill. Reg. 5223, effective March 11, 1987; amended at 11 Ill. Reg. 6228, effective March 20, 1987; amended at 11 Ill. Reg. 9927, effective May 15, 1987; amended at 11 Ill. Reg. 12003, effective November 1, 1987; emergency amendment at 11 Ill. Reg. 12432, effective July 10, 1987, for a maximum of 150 days; amended at 11 Ill. Reg. 12908, effective July 30, 1987; emergency amendment at 11 Ill. Reg. 12935, effective August 1, 1987, for a maximum of 150 days; amended at 11 Ill. Reg. 13625, effective August 1, 1987; amended at 11 Ill. Reg. 14755, effective August 26, 1987; amended at 11 Ill. Reg. 18679, effective November 1, 1987; emergency amendment at 11 Ill. Reg. 18781, effective November 1, 1987, for a maximum of 150 days; amended at 11 Ill. Reg. 20114, effective December 4, 1987; Sections 112.90 and 112.95 recodified to Sections 112.52 and 112.54 at 11 Ill. Reg. 20610; amended at 11 Ill. Reg. 20889, effective December 14, 1987; amended at 12 Ill. Reg. 844, effective January 1, 1988; emergency amendment at 12 Ill. Reg. 1929, effective January 1, 1988, for a maximum of 150 days; amended at 12 Ill. Reg. 2126, effective January 12, 1988; SUBPARTS C, D and E recodified to SUBPARTS G, H and I at 12 Ill. Reg. 2136; amended at 12 Ill. Reg. 3487, effective January 22, 1988; amended at 12 Ill. Reg. 6159, effective March 18, 1988; amended at 12 Ill. Reg. 6694, effective March 22, 1988; amended at 12 Ill. Reg. 7336, effective May 5, 1988; amended at 12 Ill. Reg. 7673, effective April 20, 1988; amended at 12 Ill. Reg. 9032, effective May 20, 1988; amended at 12 Ill. Reg. 10481, effective June 13, 1988; amended at 12 Ill. Reg. 14172, effective August 30, 1988; amended at 12 Ill. Reg. 14669, effective September 16, 1988; amended at 13 Ill. Reg. 70, effective January 1, 1989; amended at 13 Ill. Reg. 6017, effective April 14, 1989; amended at 13 Ill. Reg. 8567, effective May 22, 1989; emergency amendment at 13 Ill. Reg. 16142, effective October 2, 1989, for a maximum of 150 days; amended at 13 Ill. Reg. 16006, effective October 6, 1989; amended at 14 Ill. Reg. 705, effective January 1, 1990; amended at 14 Ill. Reg. 3170, effective February 13, 1990; amended at 14 Ill. Reg. 3575, effective February 23, 1990; amended at 14 Ill. Reg. 6306,

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effective April 16, 1990; amended at 14 Ill. Reg. 10379, effective June 20, 1990; amended at 14 Ill. Reg. 13562, effective August 10, 1990; amended at 14 Ill. Reg. 14140, effective August 17, 1990; amended at 14 Ill. Reg. 16937, effective September 30, 1990; emergency amendment at 15 Ill. Reg. 338, effective January 1, 1991, for a maximum of 150 days; emergency amendment at 15 Ill. Reg. 2862, effective February 4, 1991, for a maximum of 150 days; emergency expired July 4, 1991; amended at 15 Ill. Reg. 5275, effective April 1, 1991; amended at 15 Ill. Reg. 5684, effective April 10, 1991; amended at 15 Ill. Reg. 11127, effective July 19, 1991; amended at 15 Ill. Reg. 11447, effective July 25, 1991; amended at 15 Ill. Reg. 14227, effective September 30, 1991; amended at 15 Ill. Reg. 17308, effective November 18, 1991; amended at 16 Ill. Reg. 9972, effective June 15, 1992; amended at 16 Ill. Reg. 11550, effective July 15, 1992; emergency amendment at 16 Ill. Reg. 11652, effective July 1, 1992, for a maximum of 150 days; emergency amendment at 16 Ill. Reg. 13629, effective September 1, 1992, for a maximum of 150 days; amended at 16 Ill. Reg. 17724, effective November 9, 1992; amended at 16 Ill. Reg. 20147, effective December 14, 1992; amended at 17 Ill. Reg. 357, effective December 24, 1992; amended at 17 Ill. Reg. 813, effective January 15, 1993; amended at 17 Ill. Reg. 2253, effective February 15, 1993; amended at 17 Ill. Reg. 4312, effective March 25, 1993; emergency amendment at 17 Ill. Reg. 6325, effective April 9, 1993, for a maximum of 150 days; amended at 17 Ill. Reg. 6792, effective April 21, 1993; amended at 17 Ill. Reg. 15017, effective September 3, 1993; amended at 17 Ill. Reg. 19156, effective October 25, 1993; emergency amendment at 17 Ill. Reg. 19696, effective November 1, 1993, for a maximum of 150 days; amended at 18 Ill. Reg. 5909, effective March 31, 1994; amended at 18 Ill. Reg. 6994, effective April 27, 1994; amended at 18 Ill. Reg. 8703, effective June 1, 1994; amended at 18 Ill. Reg. 10774, effective June 27, 1994; amended at 18 Ill. Reg. _____, effective _____.

SUBPART C: JOB OPPORTUNITIES AND BASIC SKILLS TRAINING (JOBS) PROGRAM

Section 112.70 Participation Requirements for JOBS

Sections 112.70 through 112.83 describe the Job Opportunities and Basic Skills Training (JOBS) Program employment, education, and training participation requirements for AFDC clients. The purpose of JOBS is to assure that needy individuals and families obtain education, training and employment that will help avoid long-term welfare dependence. JOBS will focus on enhancing the long-term employability of AFDC clients by assessing the individual capabilities of each program participant, allow to the greatest extent possible the individual's preferences in completing the employability plan and matching the participant to a suitable activity. The program will offer a wide variety of intensive activities aimed at assisting the participant to acquire the education and or skills needed to meet the demands of the current labor market as well as in the future. Upon completion of the individual's education and/or training all participants will seek employment as part of the employability plan. To the extent possible, the program will have as its first priority individuals, whether exempt or non-exempt, who volunteer to participate. The Department will decide the categories of individuals who can participate in

JOBS based upon budget analysis of competent costs and supportive service costs for each category of individuals and in keeping with Federal Jobs participation requirements. The program offered in different counties of the State may vary depending on the extent that resources are available. Program services may be provided directly by the Illinois Department of Public Aid or through contract as allowed by Federal law. Reference to the Department or staff of the Department shall include contractors when the Department has entered into contracts for program services. In areas where the Department has contracted with community colleges, the program is called Opportunities. References to JOBS and JOBS participants shall include Project Chance and Project Chance participants and Opportunities and Opportunities participants.

a) Both exempt and non-exempt individuals receiving AFDC may participate in JOBS when State resources permit. All non-exempt individuals receiving AFDC are required to participate in JOBS only to the extent there are resources available to serve individuals other than volunteers. Participation in component activities may be mandated for non-exempt individuals. Parents one-parent in the AFDC-U case may be required to must participate in the Unemployed Parent Work Experience component unless they are he/she-is exempt under one of the exemption criteria (see Section 112.71). if one-parent-is-exempt--the-other-parent-must-participate--in--the--unemployed--Parent--Work--Experience component--unless he/she-is-also-exempt. Participation may be limited for non-exempt and exempt individuals based on component cost or available funds for supportive services for participating individuals. Dependent children under 16 who are not parents cannot participate in JOBS unless they are participating in the Youth Employment and Training Initiative.

b) JOBS services will be offered to exempt and non-exempt individuals who wish to volunteer to participate. Volunteers will be served first. However, participation may be mandated for non-exempt individuals if needed to serve adequate numbers in the target populations, or if state resources are available to provide services beyond this volunteer population. Exempt and non-exempt individuals who volunteer to participate become a program participant upon completion of the Initial Assessment, development of the employability plan, and assignment to a component (see Section 112.74). Participation may be limited for volunteers if state resources are insufficient. A waiting list will be established by geographical area to serve those on waiting lists in each geographical area. Volunteers who fail to attend the orientation and/or Initial Assessment meetings will not be sanctioned. However, non-exempt volunteers who attend the orientation meeting and become program participants by completing the Initial Assessment, development of the employability plan, and assignment to a component may be sanctioned if they thereafter do not meet program requirements without good cause (see Section 112.79). Non-exempt individuals who are mandated to participate but fail to attend the orientation meeting or to complete the Initial Assessment without good cause may be sanctioned.

c) If State resources are insufficient to provide component and

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supportive service costs for JOBS participants, child care, if needed, will be provided when the education or training activity for non-JOBS individuals in JOBS areas is approved based on the same criteria, except the criterion that requires individuals to participate an average of 20 hours each week, that is used for JOBS individuals described in Section 112.78 (See Section 112.370). Non-JOBS individuals will request child care using the Department of Children and Family Services request for child care services and registration. JOBS participation may be mandated to the extent resources allow and to the extent needed to meet Federal program requirements and maintain a program that is balanced between education and training services and placement sources for job ready individuals.

- e) JOBS resources will be targeted to the following groups:
- 1) current recipients who have received AFDC for any 36 of the preceding 60 months;
 - 2) custodial parents under age 24 who have not completed high school or have little or no work experience within the preceding year; or
 - 3) members of families in which the youngest child is within two years of being ineligible for AFDC because of age.

f) A custodial parent under age 20 who has not completed a high school education (or its equivalent) is not exempt from participation in educational activities directed toward obtaining a high school diploma (or equivalent) because of the age of the youngest child (see Section 112.71). Full-time participation (as defined by the educational provider) is required even if the individual's youngest child is under age six. This requirement is conditioned upon provision to the young parent of all necessary child care services.

- g) A custodial parent age 16 or 17 may be excused from educational activities directed toward obtaining a high school diploma (or equivalent) if the parent is unable to participate due to his or her own mental or physical illness or that of his or her spouse or child, is homeless, or is experiencing family or personal crisis.

h) A custodial parent who is age 18 or 19 may participate in training or work activities instead of educational activities if one of the following conditions is met:

- 1) prior to any assignment of the parent to educational activities, it is determined, based on an educational assessment and the employment goal established in the parents' employability plan, that participation in educational activities is not appropriate; or
 - 2) the parent fails to make good progress in successfully completing educational activities, and it is determined based on an individual assessment, and the employment plan that the educational activity is not appropriate.
- i) Individuals age 20 or over who have not completed a high school education (or equivalent) must participate in educational activities consistent with the employment goal established in the employability plan unless:

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- 1) the individual reads at the 9.9 grade level; or
- 2) the long-term employment goal identified in the individual's employability plan does not require a high school diploma (or equivalent); or
- 3) the individual reads below the 9.9 grade level, and it is determined based on the individual's assessment that the individual does not possess the aptitude to progress in an educational program and does not wish to participate in an educational program.

- j) A parent or other relative personally caring for a child under age six will not be required to participate in JOBS for more than 20 hours per week except as specified in subsection (f) above.
- k) Children in AFDC cases who are ages 14-18 and attend school may be required to participate in the Youth Employment and Training Initiative under the Project Chance Program.

(Source: Amended at 18 Ill. Reg. _____, effective _____)

Section 112.78 JOBS Components

- a) Education (Below Post Secondary)

Participants who are determined ready to participate but in need of education are referred to the education component. In this component, the individual receives information, referral, counseling services and supportive services to increase the individual's employment potential. Participants may be referred to testing, counseling and education resources. Educational activities will include basic and remedial education; English proficiency classes; high school or its equivalency (e.g., GED) or alternative education at the secondary level; and with any educational program, structured study time to enhance successful participation.

- 1) Assignment to Education (Below Post Secondary)

- A) Individuals to be assigned to Education may include but are not limited to the following:
- i) custodial parents under age 20 who do not have a high school degree or equivalent;
 - ii) individuals with limited English proficiency;
 - iii) individuals age 20 and over who do not read at or above a 9.9 grade level;
 - iv) individuals age 20 and over who do not have a high school degree or its equivalent and wish to obtain one.

- B) Parents ages 16 and 17 may be excused from educational activities if the parent is unable to participate in educational activities due to his/her own mental or physical illness or that of his/her spouse or child, is homeless, or is experiencing family or personal crisis. This shall include but not be limited to domestic violence and a

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child's suspension from school.

- C) Parents age 18 and 19 may be assigned to training or work activities instead of educational activities if:

- i) the parent fails to make good progress in successfully completing education activities; or
- ii) prior to assignment, the parent had made arrangements to participate in a training program that is approved by the JOBS program; or
- iii) it is determined based on the assessment and the employment goal of the individual that educational activities are not appropriate.

- D) Educational activities may be combined with other component activities if it is determined appropriate.

2) Approval criteria for education (Below Post Secondary)

- A) The individual's program must be accredited under state law.
- B) The individual's program must be needed for the participant to complete his or her employability plan.
- C) The individual must be enrolled full-time as defined by the institution or part-time if a full-time program is not available or appropriate.
- D) When programs of comparable quality are available in more than one geographical area, the program selected will be the least costly in supportive service costs to the Department. When programs of comparable quality are available in the same geographical area, the individual may select a preferred program.

3) Participation Requirements

- A) Participation must be full-time unless a full-time program is not readily available or a part-time program is most appropriate based on the individual's or family's circumstances.

- B) The individual must maintain participation of at least 75% of scheduled activities unless there is good cause for missing more.

- C) Clients attending a program administered by the Illinois State Board of Education (ISBE) must maintain satisfactory progress as determined by the following:

- i) active participation and pursuit of educational objectives;
- ii) teacher's written remarks;
- iii) grades;
- iv) demonstrated competencies;
- v) classroom exercises; and
- vi) periodic test/retest results.

- D) ISBE educational providers determine satisfactory progress based on a combination of the indicators listed above and test/retest results. The determination of satisfactory progress including test/retest results must be reported upon completion of the academic term or twice a year if the

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program is continuous for 12 months.

- E) Clients attending a program not administered by ISBE must maintain satisfactory progress as determined by the written policy of the institution. The determination of satisfactory progress including test/retest results must be reported upon completion of the academic term or twice a year if the program is continuous for 12 months.

- F) The individual must participate an average of 20 hours each week unless special circumstances prevent 20 hours of participation each week.

- G) Curriculum changes must be made with the prior approval of JOBS and will be approved when the change is consistent with the employability plan.

b) Job Skills Training (Vocational)

Job Skills Training is designed to increase the individual's ability to obtain and maintain employment. Job Skills Training activities will include vocational skill classes designed to increase a participant's ability to obtain and maintain employment. Job Skills Training may include certificate programs.

- 1) Self-initiated activity qualifies as "self initiated education or training" for this component if:

- A) the participant is attending at least half-time as defined by the institution;
- B) the participant is making satisfactory progress in such institution, school or course;
- C) The course of study is consistent with the individual's employment goal; and

- D) The participant meets the assignment and approval criteria under the provisions of Section 112.78(b)(2)(A) thru (J).

2) Approval Criteria For Job Skills Training (Vocational)

- A) The individual's program must be accredited under requirements of state law.

- B) The individual must be underemployed or unemployed and in need of additional training and the training will better prepare the participant to enter the labor force.

- C) The individual must have a high school diploma or GED if required for training requirements and/or employment in the chosen field.

- D) The individual must apply for all available educational benefits such as the Pell grant and scholarships from the Illinois Student Assistance Commission, as well as any scholarship or grants identified by the education or training facility for which the participant may be eligible. The individual must be enrolled full-time as defined by the institution or part-time if full-time is not available or appropriate.

- F) When the individual possesses an associate degree, license or certificate, the program selected must result in an increase in the level of the individual's earnings upon

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completion. Otherwise, no additional training will be approved unless, due to a change in the economy or occupation, there are not jobs available in the individual's chosen occupation. If the individual possesses a baccalaureate degree, no additional education or training will be approved.

- G) The individual must be in a program needed for the individual to obtain employment in a recognized occupation.
- H) Jobs must be available in the chosen field in a specific geographical area where the individual intends to work consistent with the individual's employability plan upon completion.
- I) When programs of comparable quality are available in more than one geographical area, the program selected will be the least costly in supportive service costs to the Department. When programs of comparable quality are available in the same geographical area, the individual may select a preferred program.
- J) Job skills training may be combined with other component activities if it is determined appropriate.
- K) The individual must possess the aptitude, ability and interest necessary for success in the selected program as determined by such factors as test results and educational/training background.

3) Participation Requirements

- A) Participation must be full-time unless a full-time program is not readily available or a part-time program is most appropriate based on the individual's or family's circumstances.
- B) The individual must maintain participation of at least 75% unless there is good cause for missing more.
- C) The individual must maintain a "C" average if this measurement is used by the institution to determine satisfactory progress. The individual will be allowed one semester below a "C" average to bring the grades up to a "C" average. When grades are not used, progress will be determined by the written policy of the institution to establish a comparable grade level upon completion of the academic term.
- D) The individual must participate an average of 20 hours each week unless special circumstances prevent 20 hours of participation each week.
- E) The client must complete all scheduled program enrollment hours each academic term to maintain satisfactory progress, except in the following situation. If the client withdraws from one or more scheduled courses during an academic term, the client must complete all scheduled enrollment hours during the following academic term. The client may withdraw from one or more scheduled classes in more than one academic

term, but must complete all scheduled enrollment hours the following academic term to maintain satisfactory progress. Curriculum changes must be made with the prior approval of JOBS and will be approved when the change is consistent with the employability plan.

c) Job Readiness

- 1) The job readiness component is designed to enhance the quality of the individual's level of participation in the world of work while learning the necessary essentials to obtain and maintain employment. This component helps individuals gain the necessary job finding skills to help them find and retain employment that will lead to economic independence.
- 2) Assignment to Job Readiness
- Job readiness activities may be combined with other component activities if it is determined appropriate.
- 3) Participation requirements
 - A) Participation must be full-time unless a full-time program is not readily available or a part-time program is most appropriate based on the individual's or family's circumstances.
 - B) The individual must attend all scheduled classes or sessions. The individual must be making satisfactory progress as defined by the written policy of the job readiness provider and approved by the Department. If there is a job search component in the program, the individual must make up to ten acceptable employer contacts in a 30 day period unless the participant shows good faith effort (see subsection (d)(3)(B) for the definition of "good faith effort").
 - C) The individual must participate an average 20 hours each week unless special circumstances prevent 20 hours of participation each week.
 - D) The individual must respond to a job referral, accept employment and respond to mail-in contact.
 - E) The individual must maintain participation of at least 75% unless there is good cause for missing more.
- d) Job Search
 - 1) Description of Job Search

Job Search may be conducted individually or in groups. Job Search includes the provision of counseling, job seeking skills training and information dissemination. Group job search may include training in a group session.
 - 2) Assignment to Job Search
 - A) Participation in the Job Search component can not be in excess of 8 weeks (or its equivalent) in any period of 12 consecutive months.
 - B) Job ready individuals may be assigned to Job Search. Individuals completing education or training or job skills training or job readiness training may be assigned to Job

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Search.

- C) Job Search may be combined with other component activities if it is determined appropriate.

3) Participation Requirements

- A) Participants will be notified in writing of all meetings.
- B) Individuals must contact employers in an effort to secure employment. Participants must make up to 20 acceptable employer contacts in a 30-day period unless the participant shows good faith effort. Good faith effort exists when circumstances beyond the control of the participant prevent the individual from making the required number of contacts. Good faith effort may include, but is not limited to the following:
- i) the participant appears for a scheduled interview and the employer misses the appointment;
 - ii) the participant makes less than the required number of acceptable employer contacts, but came reasonably close to the required numbers in an effort to find work;
 - iii) the participant fails a civil service or other employment screening test;
 - iv) the participant completes an application which is not accepted by the employer;
 - v) the participant's job search performance indicates that he/she should be in a different JOBS component activity; and
 - vi) the participant has less than the required number of employer contacts based on the lack of available jobs in the geographical area.
- C) The individual must participate an average of 20 hours each week unless special circumstances prevent twenty (20) hours of participation each week.
- D) Acceptable employer contacts may include but are not limited to:
- i) a face-to-face contact with an employer or the employer's representative;
 - ii) the completion and return of an application to an employer;
 - iii) the completion of a civil service test required for employment with state, local, or the federal government or the completion of a Department of Employment Security (DES) screening test;
 - iv) the completion and mailing of a resume with a cover letter to a recognized employer;
 - v) reporting to the union hall for union members verified to be in good standing; or
 - vi) registration with DES.
- E) The individual must maintain participation of at least 75%

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unless there is good cause for missing more.

- e) Community Work Experience

Near job ready participants who have not found employment and who need orientation to work, work experience or training, in order to prevent deterioration of or to enhance existing skills are referred to the Community Work Experience component. Community Work Experience assignments are with not-for-profit and public agencies statewide. Not-for-profit and public agencies shall not use Community Work Experience participants to displace regular employees (see subsection (e)(4) below). Work experience programs shall be limited to those which serve a public purpose in fields such as health, social service, environmental protection, education, urban and rural development and redevelopment, welfare, recreation, public facilities, public safety, and child care. Participants in Work Experience may perform work in the public interest (which otherwise meets the requirements of this Section) for a Federal office or agency with its consent, and, notwithstanding (31 U.S.C. 1342), or any other provision of law, such agency may accept such services, but such participants shall not be considered to be Federal employees for any purpose.

- 1) Assignment to Work Experience

A) The Community Work Experience component is for participants determined:

- i) to have no recent work history or employer references taking into consideration such factors as the education background and previous training; or
- ii) to need experience to prevent deterioration of or to enhance existing skills (e.g., typing).

- B) Entry into Community Work Experience

Participants are determined to be eligible for the Community Work Experience component, based on an assessment of their education, training and employment history. Procedures used in the assessment are a face-to-face meeting with the participant and a review of all available information on the participant (including but not limited to the participant's case record).

- C) Community Work Experience Positions

A participant shall be assigned to a Community Work Experience position based on work history, prior training, experience, skills and vocational preference. The date the participant is scheduled to begin the work assignment marks the beginning of participation in Community Work Experience.

- D) Community Work Experience activities may be combined with other component activities if it is determined appropriate.

- 2) Participation Requirements

A) Work assignment consists of no more than six months in a 12 consecutive calendar month period. The hours of the work assignment for a calendar month shall not exceed the family's AFDC grant received in the fiscal month during which the assignment is made divided by the higher of the

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State or Federal minimum wage or the rate of pay for individuals employed in the same or similar occupations by the same employer at the same site (as determined by the Work Experience Sponsor and the Department). (A fiscal month is a month that starts with a given day in one calendar month and ends with the day before that same given day in the next calendar month.) The portion of a recipient's aid for which the State is reimbursed by a child support collection (except for the \$50 pass through) shall be excluded in determining the maximum number of hours that the participant is required to work. In order to provide consistency for both work assignment sponsors and participants, the required number of hours will be rounded down to 40 or 80 hours. The minimum number of hours that must be completed within a calendar month is 40 hours, and the maximum number of hours that must be completed is 80 hours.

B) During work assignment, the participant shall be required to make up to ten employer contacts per month if participating in a 40 hour work assignment, or five (5) employer contacts per month if participating in an 80 hour work assignment unless the participant shows good faith effort (see subsection (d)(3)(B) for the definition of "good faith effort") or participates in education and training programs. Participants are required to accept bona fide offers of employment pursuant to Section 112.72.

C) Participants are also required to report as scheduled and on time to their work assignment Sponsor when notified of an assignment. When they cannot report to their work assignment or if they will be late, they are to immediately notify their work assignment Sponsor.

D) The individual must participate an average of 20 hours each week unless special circumstances prevent 20 hours of participation each week. The client must maintain satisfactory participation of at least 75% of all scheduled hours each month. Participation may include but is not limited to activities such as the work assignment, the completion of employer contacts and attendance in education/training programs.

3) Reassessment

At the end of the work assignment, the participant's employability will be evaluated using the procedures and criteria described in Section 112.74. If continuing the work assignment will benefit the participant in terms of furthering work skills (see subsection (e)(1)(A) and (B)), the participant shall be reassigned to the work assignment. Otherwise, the participant will be assessed for assignment to another JOBS component.

4) Length of Assignment

An individual cannot be assigned to Community Work Experience for

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more than a total of six months in any 12 consecutive calendar month period.

5) Displacement

- A) The Work Experience Sponsor shall not use participant's to:
- i) displace positions or persons who are already employed as regular full-time or part-time employees of the Sponsor, regardless of whether those employees are on active status or are on leave status due to disability, personal reasons, or any other reason. This includes partial displacement such as reduction in hours of non-overtime work, wages or employment benefits; or
 - ii) displace persons who are or have been involved in a labor dispute between a labor organization and the Sponsor; or
 - iii) impair existing contracts for services or collective bargaining agreements; or
 - iv) infringe in any way upon promotional opportunities of any currently employed individual; or
 - v) fill any established unfilled position, vacancy; or
 - vi) displace persons who have been laid off or terminated by the Sponsor or if the Sponsor has otherwise reduced its workforce.
- B) Participant's and other employees at the work site or their representatives may file a grievance with the Department if they believe their work assignments are causing displacement. In order for the Department to consider a grievance, it must be in writing and contain the following information:
- i) the name and address of the participant or other employee at the work site; i.e., the grievant;
 - ii) the participant's public aid case number;
 - iii) the participant's or other employee's (at the work site) social security number;
 - iv) Work Experience (work site); and
 - v) a statement as to why the participant or other employee at the work site believes he or she is causing displacement.
- C) Within ten days of receipt of a written grievance, the Department shall arrange an in-person conference with:
- i) the participant or other employee at the work site;
 - ii) the participant's or other employee's (at the work site) representative, if any;
 - iii) the Work Experience Sponsor;
 - iv) the Work Experience Sponsor's representative, if any; and
 - v) the Department's representative.
- D) At the in-person conference, the Department shall solicit and receive from the participant or other employee at the

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work site and the Work Experience Sponsor any documents and statements relevant to the matters alleged in the grievance. The Work Experience Sponsor shall provide whatever documents or other information requested by the participant and/or the Department.

E) Within 15 days of the in-person conference, the Department shall advise the participant or other employee at the work site and the Work Experience Sponsor in writing of the information obtained in the investigation and of the findings and conclusions as to the matters alleged in the grievance.

F) If the Department concludes that displacement occurred (as described in subsection (e)(5)(A) above), the Department shall terminate the participant's assignment to that Work Experience Sponsor. If the Department concludes, as a result of the evidence presented at the conference, that the Work Experience Sponsor has caused displacement by use of JOBS participants in addition to the participant, then the Department shall terminate those JOBS participants' assignment to that work assignment Sponsor.

G) A decision of the Department relating to a displacement grievance may be appealed by a regular employee within 20 days after the receipt of the Department's written decision. The appellant shall send the appeal to the Office of Administrative Law Judges at the U.S. Department of Labor per 45 CFR 251.4.

H) All participants and other employees at the work site are assured that no retaliation will be taken against them by the Department, its employees, or the Work Experience Sponsor for filing a grievance or otherwise proceeding under this policy.

f) On the Job Training (OJT)

In OJT, a participant is hired by a private or public employer and while engaged in productive work receives training that provides knowledge or skills essential to full and adequate performance of the job.

1) Assignment to OJT

- A) Job ready individuals may be assigned to OJT.
- B) OJT participants shall be compensated at the same rate and with the same benefits as other employees.
- C) Wages to participants in OJT shall not be less than the higher of the State or Federal minimum wage.
- D) Wages to participants in OJT are considered earned income.
- E) OJT may be combined with other component activities if it is determined appropriate.

2) Participation Requirement

- A) The individual must participate an average of 20 hours each week unless special circumstances prevent 20 hours of participation each week.

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- B) The individual must maintain participation of at least 75% unless there is good cause for missing more.

3) Supportive Services

Participants in OJT receive child care and medicaid benefits through the AFDC program, not JOBS.

g) Exchange Program (see Section 112.98)

h) Post Secondary Education

Individuals may be referred to post secondary education programs. Post secondary education must be administered by an educational institution accredited under requirements of State law including, but not limited to, the Barber, Cosmetology and Esthetics Act of 1985 (Ill. Rev. Stat. 1991, ch. 111, par. 1701-1 et seq.) [225 ILCS 410], the Real Estate License Act of 1983 (Ill. Rev. Stat. 1991, ch. 111, par. 5801 et seq.) [225 ILCS 455], the Public Community College Act (Ill. Rev. Stat. 1991, ch. 122, par. 101-1 et seq.) [110 ILCS 805], the University of Illinois Act (Ill. Rev. Stat. 1991, ch. 144, par. 21m et seq.) [110 ILCS 305], the Regency Universities Act (Ill. Rev. Stat. 1991, ch. 144, par. 301 et seq.) [110 ILCS 705] and the Southern Illinois University Name Change Act (Ill. Rev. Stat. 1991, ch. 144, par. 599 et seq.) [110 ILCS 505].

1) Self-initiated activity qualifies as "self initiated education or training" for this component if:

- A) The participant is attending at least half-time as defined by the institution;
 - B) The participant is making satisfactory progress in such institution, school or course;
 - C) The course of study is consistent with the individual's employment goal; and
 - D) The participant meets the assignment and approval criteria under the provisions of Section 112.78(h)(2)(A) thru (n).
- 2) Approval Criteria For Post Secondary Education
- A) The individual must have a high school diploma or a GED.
 - B) The individual must possess the aptitude, ability and interest necessary for success in the selected program as determined by such factors as test results and educational/training background.
 - C) The individual must be enrolled full-time as defined by the institution or part-time if a full-time program is not available or appropriate.
 - D) The individual must be in a program needed for the individual to obtain employment in a recognized occupation.
 - E) The individual does not already possess a baccalaureate degree or an associate degree if the employability plan goal is an associate degree.
 - F) If the participant possesses a baccalaureate degree, no additional education may be approved.
 - G) The individual's program must be accredited under requirements of State law.
 - H) The individual must apply for all available educational

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benefits such as the Pell grant scholarship from the Illinois Student Assistance Commission, as well as any scholarship or grants identified by the education or training facility for which the participant may be eligible. Jobs, consistent with the individual's employability plan, must be available in the chosen field in a specific geographical area where the individual intends to work upon program completion.

J) When programs of comparable quality are available in more than one geographical area, the program selected will be the least costly in supportive service costs to the Department. When programs of comparable quality are available in the same geographical area, the individual may select a preferred program.

K) The program selected may be no more than a program that will result in the receipt of a Baccalaureate Degree consistent with the employability plan.

L) The individual must be underemployed or unemployed and in need of additional education and the education will better prepare the participant to enter the labor force.

3) Participation Requirements

A) The individual must maintain participation of at least 75% unless there is good cause for missing more.

B) The individual must maintain a "C" average if this measurement is used by the institution to determine satisfactory progress. The individual would be allowed one semester below a "C" average to bring the grades up to a "C" average. When grades are not used, satisfactory progress will be determined by the written policy of the institution to establish a comparable grade level upon completion of the academic term.

C) The individual must participate an average of 20 hours each week unless special circumstances prevent twenty (20) hours of participation each week.

D) The client must complete all scheduled program enrollment hours each academic term to maintain satisfactory progress, except in the following situation. If the client withdraws from one or more scheduled courses during an academic term, the client must complete all scheduled enrollment hours during the following academic term. The client may withdraw from one or more scheduled classes in more than one academic term, but must complete all scheduled enrollment hours the following academic term to maintain satisfactory progress.

E) Curriculum changes must be made with the approval of JOBS and will be approved when the change is consistent with the employability plan.

i) Job Development and Placement (JDP)

1) JOBS staff shall develop through contacts with public and private employers unsubsidized job openings for participants. Job

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interviews will be secured for clients by the marketing of participants for specific job openings.

2) Assignment to JDP

Job ready individuals may be assigned to JDP.

j) Job Retention

The job retention component is designed to assist participants in retaining employment. Initial employment expenses are provided. The individual's supportive service needs are assessed and the individual receives counseling regarding job retention skills. Counseling may continue up to three months after employment.

k) Unemployed Parents Work Experience

1) Parents one-parent in the AFDC-U case may be required to must participate in Unemployed Parents Work Experience unless they are hershe-is exempt under one of the exemption criteria (see Section 112.71). if-one-parent-is--exempt--the-other-parent--must participate--in--Unemployed-Parents-Work-Experience-unless-he/she is-also-exempt.

2) Unemployed Parents Work Experience participants who are placed on a supervised work assignment improve their employment skills through actual work experience at not-for-profit organizations and governmental agencies. Participants are referred to work assignments as vacancies are available. Not-for-profit organizations and governmental agencies shall not use Unemployed Parents Work Experience participants to displace regular employees (see subsection (k)(7) below).

3) The individual must participate in Unemployed Parents Work Experience for as long as he/she remains eligible for financial assistance or until determined exempt from JOBS. Work assignments are for 20 hours each week or 40 hours each week for two weeks followed by two weeks off. Attendance in the work assignment is monitored monthly. A reassessment must be conducted with the participant at least every 12 consecutive months.

4) Assignment to Work Experience

A) The Unemployed Parents Work Experience participant who possesses a high school diploma or equivalent will be assigned to a work assignment. The participant who does not possess a high school diploma or equivalent and who is:

i) age 25 and over may participate in educational activities below the post-secondary level in addition to his/her Unemployed Parents Work Experience work assignment; or

ii) age 20 through 24 may choose to participate in educational activities below the post-secondary level in addition to or instead of the Unemployed Parents Work Experience work assignment. The individual must participate an average of 20 hours each week in the Education (below post-secondary) component if he/she chooses this component instead of the Unemployed

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Parents Work Experience work assignment unless a 20 hour weekly educational program is not available in the area where the program is located. The individual must then attend the program for the scheduled hours the program is offered. If the individual fails to make satisfactory academic progress in the Education (below post-secondary) component, the individual will be assigned to an Unemployed Parents Work Experience work assignment; or

iii) under age 20 must participate an average of 20 hours each week in educational activities below the post-secondary level unless a 20 hour weekly educational program is not available in the area where the program is located. The individual must then attend the program for the scheduled hours the program is offered. The individual must meet the participation requirements of the Education (below post-secondary) component (see Section 112.78(a)). If the individual fails to make satisfactory academic progress, the individual will be assigned to the Unemployed Parents Work Experience work assignment.

B) Entry into Unemployed Parents Work Experience

The Parents in the AFDC-U case may be required to participate in Unemployed Parents Work Experience
participant must be one parent in the AFDC-U case unless
they are he/she is exempt under one of the exemption
criteria (see Section 112.71). If one parent is exempt, the
other parent must participate in Unemployed Parents Work
Experience unless he/she is also exempt.

C) Unemployed Parents Work Experience Positions.

A participant shall be assigned to an Unemployed Parents Work Experience position based on work history, prior training, experience, skills and vocational preference. The date the participant is scheduled to begin the work assignment marks the beginning of participation in Unemployed Parents Work Experience.

D) Unemployed Parents Work Experience activities may be combined with other component activities if it is determined appropriate.

5) Participation Requirements

A) During the work assignment period, the client must make a good faith effort to complete five employer contacts in each 30 day period.

B) Failure to make the required number of employer contacts each 30 day period without good cause may result in sanction. A client will not be sanctioned if he/she makes a good faith effort to complete and provide verification of the required number of employer contacts (see Section 112.78 (d)(3)(B)).

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C) The client must maintain satisfactory participation of at least 75% of all scheduled hours each month. Participation may include the work assignment, attendance in Education (below post-secondary), and/or completion of employer contact activities.

D) The client attending a work assignment must participate 20 hours each week or 40 hours each week for two weeks followed by two weeks off.

6) Reassessment

A reassessment must be conducted with the participant at least once every 12 consecutive months.

7) Displacement

A) The Unemployed Parents Work Experience Sponsor shall not use participants to:

i) displace positions or persons who are already employed as regular full-time or part-time employees of the Sponsor, regardless of whether those employees are on active status or are on leave status due to disability, personal reasons, or any other reason. This includes partial displacement such as reduction in hours of non-overtime work, wages or employment benefits; or

ii) displace persons who are or have been involved in a labor dispute between a labor organization and the Sponsor; or

iii) impair existing contracts for services or collective bargaining agreements; or

iv) infringe in any way upon promotional opportunities of any currently employed individual; or

v) fill any established unfilled position vacancy; or

vi) displace persons who have been laid off or terminated by the Sponsor or if the Sponsor has otherwise reduced its workforce.

B) Participants, other employees at the work site or their representatives may file a grievance with the Department if they believe their work assignments are causing displacement. In order for the Department to consider a grievance, it must be in writing and contain the following information:

i) the name and address of the participant or other employee at the work site (i.e., the grievant);

ii) the participant's public aid case number;

iii) the participant's or other employee's (at the work site) social security number;

iv) Work Experience (work site); and

v) a statement as to why the participant or other employee at the work site believes he or she is causing displacement.

C) Not more than ten days after receipt of a written grievance,

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the Department shall arrange an in-person conference with:

- i) the participant or other employee at the work site;
- ii) the participant's or other employee's (at the work site) representative, if any;
- iii) the Work Experience Sponsor;
- iv) the Work Experience Sponsor's representative, if any;

and

- v) the Department's representative.

D) At the in-person conference, the Department shall solicit and receive from the participant or other employee at the work site and from the Work Experience Sponsor any documents and statements relevant to the matters alleged in the grievance. The Work Experience Sponsor shall provide whatever documents or other information requested by the participant and/or the Department.

E) Within 15 days after the in-person conference, the Department shall advise the participant or other employee at the work site and the Work Experience Sponsor in writing of the information obtained in the investigation and of the findings and conclusions as to the matters alleged in the grievance.

F) If the Department concludes that displacement occurred (as described in subsection (e)(5)(A)(i) above), the Department shall terminate the participant's assignment to that Work Experience Sponsor. If the Department concludes, as a result of the evidence presented at the conference, that the Work Experience Sponsor has caused displacement by use of JOBS participants in addition to the participant, then the Department shall terminate those JOBS participants' assignment to that Work Experience Sponsor.

G) A decision of the Department relating to a displacement grievance may be appealed by a regular employee within 20 days after the receipt of the Department's written decision. The appellant shall send the appeal to the Office of Administrative Law Judges at the U.S. Department of Labor per 45 CFR 251.4.

H) All participants and other employees at the work site are assured that no retaliation will be taken against them by the Department, its employees, or the Work Experience Sponsor for filing a grievance or otherwise proceeding under this policy.

1) Self-Employment

Self-employment components will increase the individual's ability to start and maintain a business. Self-employment activities will include self-employment development training programs, technical assistance programs, and a two year exemption of business assets and income for participants. In order to be approved in the self-employment component, the self-employment development plan must be approved.

- 1) Assignment to Self-Employment
Applicants must have a GED or high school diploma, some work experience and/or proven ability or have a plan that indicates success can be obtained without these requirements.
- 2) Participation Requirements
Participants must attend at least 75% of classroom activities.
- 3) Self-Employment Asset and Income Exemptions
In order to qualify for a two year self-employment exemption of the business assets and income, the individuals must:
 - A) complete a self-employment program or demonstrate equivalent knowledge and experience; and
 - B) submit a business plan which includes the following items:
 - i) verification that the business can be started for under \$5,000;
 - ii) verification that the loan, if needed, has been secured or that an application for a loan is pending;
 - iii) a marketing plan which includes a complete product or service description, the market area, the target customers and promotional strategy, an analysis of the competition, distribution, pricing and selling methods; and
 - iv) a financial plan which includes the amount of loan the business will need and the repayment plan, the projected monthly cash flow over a two year period, the estimated cost of production and/or distribution, and the estimated operating expenses.

(Source: Amended at 18 Ill. Reg. _____, effective _____)

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- 1) Heading of Part: Meat and Poultry Inspection Act
- 2) Code Citation: 8 Ill. Adm. Code 125
- 3) Section Numbers: Adopted Action:
 125.100 Amended
 125.260 Amended
 125.380 Amended
- 4) Statutory Authority: The Meat and Poultry Inspection Act (Ill. Rev. Stat. 1991, ch. 56 1/2, par. 316) [225 ILCS 650/16].

- 5) Effective Date of amendment: July 6, 1994

- 6) Does this rulemaking contain an automatic repeal date? No

- 7) Does this rulemaking contain an automatic repeal date? Yes

- 8) Date Filed in Agency's Principal Office? July 6, 1994

- 9) Notice of Proposal Published in Illinois Register: March 18, 1994, 18 Ill. Reg. 3809

- 10) Has JCAR issued a Statement of Objections to these rule? No

- 11) Differences between proposal and final version? Nonsubstantive editorial changes were made. References concerning peremptory amendments adopted by the Department on April 18, 1994 and May 27, 1994 were added in the main source note and as well as in the respective sections {(125.260(a) and 125.380(a))}. A reference to 59 FR 12157 (published in the March 16, 1994 Federal Register) was added in Sections 125.260(a) and 125.380(a) as this was a confirmation of the interim rule published at 58 FR 47624.

- 12) Have all the changes agreed upon by the agency and JCAR been made as indicated in the agreement letter issued by JCAR? N/A

- 13) Will this amendment replace an emergency amendment in effect? No

- 14) Are there any amendments pending on this Part? Yes, proposed amendments to Section 125.110 published at 18 Ill. Reg. 9027, June 24, 1994.

- 15) Summary and Purpose of amendments: In order to maintain an "equal to"

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status with the federal meat and poultry inspection programs as required by the Federal Meat Inspection Act, the Federal Poultry Inspection Act, and in compliance with Section 16 of the Meat and Poultry Inspection Act, the Department is adopting changes in the federal rules relative to meat and poultry inspection.

The Department is adopting federal meat and poultry products inspection regulations regarding nutrition labeling. The following issues of the Federal Register have complete information regarding these amendments: 58 FR 632 (final rule, January 6, 1993); 58 FR 43787 (corrections, August 18, 1993); 58 FR 47624 (technical amendments, September 10, 1993); 58 FR 66075 (correction, December 17, 1993); and 59 FR 12157, March 16, 1994 (confirmation of interim rule which was printed at 58 FR 47624).

- 16) Information and questions regarding this adopted amendment shall be directed to the attention of:

Name: Debbie Wakefield
 Address: Illinois Department of Agriculture
 State Fairgrounds, Springfield,
 Illinois 62794-9281
 Telephone: 217/782-2172

The full text of Adopted Amendments begins on the next page:

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TITLE 8: AGRICULTURE AND ANIMALS

CHAPTER I: DEPARTMENT OF AGRICULTURE

SUBCHAPTER C: MEAT AND POULTRY INSPECTION ACT

PART 125

MEAT AND POULTRY INSPECTION ACT

SUBPART A: GENERAL PROVISIONS FOR BOTH MEAT AND/OR

POULTRY INSPECTION

Section	
125.10	Definitions
125.20	Incorporation by Reference of Federal Rules
125.30	Application for License; Approval
125.40	Official Number
125.50	Inspections; Suspension or Revocation of License
125.60	Administrative Hearings; Appeals
125.70	Assignment and Authority of Program Employees
125.80	Schedule of Operations; Overtime
125.90	Official Marks of Inspection, Devices and Certificates
125.100	Records and Reports
125.110	Exemptions
125.120	Disposal of Dead Animals and Poultry
125.130	Reportable Animal and Poultry Diseases
125.140	Detention; Seizure; Condemnation

SUBPART B: MEAT INSPECTION

Section	
125.150	Livestock and Meat Products Entering Official Establishments
125.160	Equine and Equine Products
125.170	Facilities for Inspection
125.180	Sanitation
125.190	Ante-Mortem Inspection
125.200	Post-Mortem Inspection
125.210	Disposal of Diseased or Otherwise Adulterated Carcasses and Parts
125.220	Humane Slaughter of Animals
125.230	Handling and Disposal of Condemned or Other Inedible Products at Official Establishment
125.240	Rendering or Other Disposal of Carcasses and Parts Passed for Cooking
125.250	Marking Products and Their Containers
125.260	Labeling, Marking and Containers
125.270	Entry into Official Establishment; Reinspection and Preparation of Product
125.280	Meat Definitions and Standards of Identity or Composition
125.290	Transportation
125.295	Imported Products
125.300	Special Services Relating to Meat and Other Products
125.305	Exotic Animal Inspection

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SUBPART C: POULTRY INSPECTION

Section	
125.310	Application of Inspection
125.320	Facilities for Inspection
125.330	Sanitation
125.340	Operating Procedures
125.350	Ante-Mortem Inspection
125.360	Post-Mortem Inspection; Disposition of Carcasses and Parts
125.370	Handling and Disposal of Condemned or Inedible Products at Official Establishments
125.380	Labeling and Containers
125.390	Entry of Articles Into Official Establishments; Processing Inspection and Other Reinspections; Processing Requirements
125.400	Definitions and Standards of Identity or Composition
125.410	Transportation; Sale of Poultry or Poultry Products

AUTHORITY: Implementing and authorized by the Meat and Poultry Inspection Act (Ill. Rev. Stat. 1991, ch. 56 1/2, par. 301 et seq.) [225 ILCS 650] and Section 16 of the Civil Administrative Code of Illinois (Ill. Rev. Stat. 1991, ch. 127, par. 16) [20 ILCS 5/16].

SOURCE: Adopted at 9 Ill. Reg. 1782, effective January 24, 1985; peremptory amendment at 9 Ill. Reg. 2337, effective January 28, 1985; peremptory amendment at 9 Ill. Reg. 2980, effective February 20, 1985; peremptory amendment at 9 Ill. Reg. 4856, effective April 1, 1985; peremptory amendment at 9 Ill. Reg. 9240, effective June 5, 1985; peremptory amendment at 9 Ill. Reg. 10102, effective June 13, 1985; peremptory amendment at 9 Ill. Reg. 11673, effective July 17, 1985; peremptory amendment at 9 Ill. Reg. 13748, effective August 23, 1985; peremptory amendment at 9 Ill. Reg. 15575, effective October 2, 1985; peremptory amendment at 10 Ill. Reg. 19759, effective December 5, 1985; peremptory amendment at 10 Ill. Reg. 447, effective December 23, 1985; peremptory amendment at 10 Ill. Reg. 1307, effective January 7, 1986; peremptory amendment at 10 Ill. Reg. 3318, effective January 24, 1986; peremptory amendment at 10 Ill. Reg. 3880, effective February 7, 1986; peremptory amendment at 10 Ill. Reg. 11478, effective June 25, 1986; peremptory amendment at 10 Ill. Reg. 14858, effective August 22, 1986; peremptory amendment at 10 Ill. Reg. 15305, effective September 10, 1986; peremptory amendment at 10 Ill. Reg. 16743, effective September 19, 1986; peremptory amendment at 10 Ill. Reg. 18203, effective October 15, 1986; peremptory amendment at 10 Ill. Reg. 19818, effective November 12, 1986; peremptory amendment at 11 Ill. Reg. 1696, effective January 5, 1987; peremptory amendment at 11 Ill. Reg. 2930, effective January 23, 1987; peremptory amendment at 11 Ill. Reg. 9645, effective April 29, 1987; peremptory amendment at 11 Ill. Reg. 10321, effective May 15, 1987; peremptory amendment at 11 Ill. Reg. 1184, effective June 5, 1987; peremptory amendment at 11 Ill. Reg. 14830, effective August 25, 1987; peremptory amendment at 11 Ill. Reg. 18799, effective November 3, 1987; peremptory amendment at 11 Ill. Reg. 19805, effective November 19, 1987; peremptory amendment at 12 Ill. Reg. 2154, effective January 6, 1988;

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amended at 12 Ill. Reg. 3417, effective January 22, 1988; peremptory amendment at 12 Ill. Reg. 4879, effective February 25, 1988; peremptory amendment at 12 Ill. Reg. 6313, effective March 21, 1988; peremptory amendment at 12 Ill. Reg. 6819, effective March 29, 1988; peremptory amendment at 12 Ill. Reg. 13621, effective August 8, 1988; peremptory amendment at 12 Ill. Reg. 19116, effective November 1, 1988; peremptory amendment at 12 Ill. Reg. 20894, effective December 21, 1988; peremptory amendment at 13 Ill. Reg. 228, effective January 11, 1989; peremptory amendment at 13 Ill. Reg. 2160, effective February 13, 1989; amended at 13 Ill. Reg. 3696, effective March 13, 1989; peremptory amendment at 13 Ill. Reg. 15853, effective October 5, 1989; peremptory amendment at 13 Ill. Reg. 16838, effective October 11, 1989; peremptory amendment at 13 Ill. Reg. 17495, effective January 18, 1990; amended at 14 Ill. Reg. 3424, effective February 26, 1990; peremptory amendment at 14 Ill. Reg. 4953, effective March 23, 1990; peremptory amendment at 14 Ill. Reg. 11401, effective July 6, 1990; peremptory amendment at 14 Ill. Reg. 13355, effective August 20, 1990; peremptory amendment at 14 Ill. Reg. 16064, effective September 24, 1990; peremptory amendment at 14 Ill. Reg. 21060, effective May 29, 1991; peremptory amendment at 15 Ill. Reg. 620, effective January 2, 1991; peremptory amendment withdrawn at 15 Ill. Reg. 1574, effective January 2, 1991; peremptory amendment at 15 Ill. Reg. 3117, effective September 3, 1991; peremptory amendment at 15 Ill. Reg. 8714, effective May 29, 1991; amended at 15 Ill. Reg. 8801, effective June 7, 1991; peremptory amendment at 15 Ill. Reg. 13976, effective September 20, 1991; peremptory amendment at 16 Ill. Reg. 1899, effective March 2, 1992; amended at 16 Ill. Reg. 8349, effective May 26, 1992; peremptory amendment at 16 Ill. Reg. 11687, effective July 10, 1992; peremptory amendment at 16 Ill. Reg. 11963, effective July 22, 1992; peremptory amendment at 16 Ill. Reg. 12234, effective July 24, 1992; peremptory amendment at 16 Ill. Reg. 16337, effective October 19, 1992; peremptory amendment at 16 Ill. Reg. 17165, effective October 21, 1992; peremptory amendment at 17 Ill. Reg. 2063, effective February 12, 1993; peremptory amendment at 17 Ill. Reg. 15725, effective September 7, 1993; peremptory amendment at 17 Ill. Reg. 16238, effective September 8, 1993; peremptory amendment at 17 Ill. Reg. 18215, effective October 5, 1993; amended at 18 Ill. Reg. 304, effective December 23, 1993; peremptory amendment at 18 Ill. Reg. 2164, effective January 24, 1994; amended at 18 Ill. Reg. 4625, effective March 14, 1994; peremptory amendment at 18 Ill. Reg. 6442, effective April 18, 1994; peremptory amendment at 18 Ill. Reg. 8493, effective May 27, 1994; amended at 18 Ill. Reg. _____, effective _____.

SUBPART A: GENERAL PROVISIONS FOR BOTH MEAT AND/OR
POULTRY INSPECTION

Section 125-100 Records and Reports

- a) The Department incorporates by reference 9 CFR 320.1(b), 320.6(a), 320.7, 381.175(b), 381.175(b)(4), 381.175(b)(5), 381.180(a) and 381.181 (1990); 57 FR 27870, effective July 22, 1992; 57 FR 4355, effective October 21, 1992; 58 FR 41138, effective September 1, 1993; 58 FR 632 and 58 FR 43787, effective July 6, 1994.

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- b) Access to the establishment, its premises, records and inventories shall be provided to the Department in accordance with Section 14 of the Act and Section 125-70.
- c) Each person who is required to be licensed in accordance with Section 3 of the Act shall keep records as stated in the incorporated language of 9 CFR 320.1(b) and 381.175(b), except that for custom slaughtering and custom processing transactions, the recordkeeping requirements shall be those set forth in Section 5(B)(2)(f) of the Act. Records shall be retained for 5 years after December 31 of the year in which the transaction to which the record relates has occurred. If a record must be retained for longer than 5 years because of an on-going investigation or litigation, the Department shall notify the licensee in writing as to which record is to be retained, the reasons for such retention and the retention period. The Department shall consider when determining the retention period the court date, if known, or the time needed to conclude the investigation (e.g., considering the type of disease being investigated, the number of animals involved, and laboratory testing procedures, if applicable).
- d) The licensee of the official establishment shall maintain such records at the establishment. In the case of a broker, the records shall be maintained at the office listed on the application for license. The Department shall request a licensee to submit an evaluation of the inspection program or of the inspector's performance when the Department is conducting a review of the effectiveness of the Meat and Poultry Inspection program or when a complaint on the inspector's performance has been received.

(Source: Amended at 18 Ill. Reg. _____, effective _____.)

SUBPART B: MEAT INSPECTION

Section 125.260 Labeling, Marking and Containers

- a) The Department incorporates by reference 9 CFR 317.1 through 317.2(j)(10), 317.2(j)(12) through 317.4(d)(1), 317.5 through 317.6, 317.8, 317.10 through 317.14, 317.17 through 317.24, 317.300, 317.302, 317.308, 317.309, 317.312, 317.313, 317.343, 317.344, 317.345, 317.354, 317.356, 317.360, 317.361, 317.362, 317.369, 317.380, 317.400 (1990); 55 FR 7289, effective August 28, 1990; 55 FR 34878, effective September 24, 1990; 55 FR 49826 and 50081, effective May 29, 1991; 56 FR 1359, effective September 3, 1991; 56 FR 22638, effective January 2, 1992; 56 FR 41445, effective September 20, 1991; 56 FR 67485, effective March 2, 1992; 57 FR 24542, effective July 10, 1992; 58 FR 42188, effective September 8, 1993; 58 FR 38046, effective August 16, 1993; 59 FR 12536, effective April 18, 1994; 59 FR 14281, effective May 27, 1994; 58 FR 632, 58 FR 43787, 58 FR 47624, 58 FR 66075, and 59 FR 12157, effective July 6, 1994).

- b) The Department shall approve only those abbreviations for marks of

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inspection as specifically stated in Section 2.26(j)(3) and (k)(3), (4), (5) and (9) of the Act.

- c) Labeling and sketch labeling shall be approved by the Department if the label is in compliance with the provisions of this Section and the label is not misbranded in accordance with Section 2.20 of the Act. All labels and sketch labels shall be submitted to the Springfield office of the Department for approval.

- d) The Department shall approve temporary labeling as stated in 9 CFR 317.4(d)(1). Labeling which has received temporary approval shall not be used beyond the temporary approval period unless the printer or manufacturer of the label is unable to provide the official establishment with the labels before the expiration of the temporary approval.

- e) The quantity of contents as shown on the label shall be in compliance with the Weights and Measures Act (Ill. Rev. Stat. 1969 1991, ch. 147, par. 101 et seq.) [225 ILCS 470] and the rules adopted thereto (8 Ill. Adm. Code 600.120).

- f) The Department does not approve terms for generic labeling and considers the approval of terms as generic to be the responsibility of the federal government.

- g) With regard to the incorporated language in 9 CFR 317.6, the extension of time for exhausting existing stocks of labels is not applicable since all labels presently in use are in compliance with the rules of this Part.

- h) The Department does not issue a list of approved packaging materials and will permit for use any packaging material which has been approved by the U.S. Department of Agriculture (see 49 FR 2235, effective July 17, 1984).

- i) Labels to be used for the relabeling of inspected and passed product shall be permitted to leave the official establishment when the product must be relabeled because the original labels have become mutilated or damaged. The official establishment shall reimburse the Department for any overtime costs, if applicable, involved for the inspector to supervise the relabeling of a product. The overtime charges shall be as set forth in Section 125.80.

- j) The inspector shall grant authorization to transport labels, wrappers and containers bearing official marks from one official establishment to another official establishment provided the official establishment provides to the inspector the information required in 9 CFR 317.13 so that the inspector can notify the inspector at the destination point. Labeling of custom slaughter and/or custom processed meat and/or meat products and the containers containing custom slaughtered and/or custom processed meat and/or meat products shall be as set forth in Section 5 of the Act.

- l) References in the incorporated language to 9 CFR 312 shall be interpreted to mean in accordance with Section 125.90.

(Source: Amended at 18 Ill. Reg. _____, effective _____)

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SUBPART C: POULTRY INSPECTION

Section 125.380 Labeling and Containers

- a) The Department incorporates by reference 381.115 through 381.127, and 381.129 through 381.132(b)(1), 381.133 through 381.144(d), 381.400, 381.402, 381.408, 381.409, 381.412, 381.413, 381.443, 381.444, 381.445, 381.454, 381.456, 381.460, 381.461, 381.462, 381.469, 381.480, 381.500 (1990; 55 FR 5976, effective March 23, 1990; 55 FR 7289, effective August 28, 1990; 55 FR 49826 and 50081, effective May 29, 1991; 56 FR 1359, effective September 3, 1991; 56 FR 22638, effective January 2, 1992; 56 FR 67485, effective March 2, 1992; 57 FR 24542, effective July 10, 1992; 57 FR 43588, effective October 21, 1992; 58 FR 38046, effective August 16, 1993; 59 FR 14528, effective May 27, 1994; 58 FR 632, 58 FR 43787, 58 FR 47624, and 59 FR 12157, effective July 6, 1994).

- b) Each shipping container and each immediate container containing inspected and passed poultry and/or poultry products shall be identified in accordance with the labeling provisions of this Section.
- c) Immediate containers of poultry products packed in, bearing or containing any chemical additive shall bear a label naming the additive and the purpose of its use.

- d) Labels for consumer packages shall be approved if the label is not misbranded in accordance with Section 2.20 of the Act and is in compliance with this Section.

- e) The specific statements listed in 9 CFR 381.121 may be added to the label for the shipping container at the option of the licensee.

- f) The quantity of contents as shown on the label shall be in compliance with the Weights and Measures Act and the rules adopted thereto (8 Ill. Adm. Code 600.120).

- g) No labeling or containers that have not been approved shall be used until a final decision is rendered at an administrative hearing in accordance with Section 19 of the Act and Section 125.60.

- h) The Department shall approve the manufacture of a device or label containing an official mark of inspection provided the device or label is in compliance with Section 125.90.

- i) Labeling and sketch labeling shall be approved by the Department if the label is in compliance with the provisions of this Section and the label is not misbranded in accordance with Section 2.20 of the Act. All labels and sketch labels shall be submitted to the Springfield office of the Department for approval.

- j) The Department shall approve temporary labeling as stated in 9 CFR 381.132(b)(1). Labeling which has received temporary approval shall not be used beyond the temporary approval period unless the printer or manufacturer of the label is unable to provide the official establishment with the permanent labels before the expiration of the temporary approval.

- k) A copy of each label submitted for approval shall be accompanied by a statement showing the common or usual names, the kinds and percentages

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of the ingredients comprising the poultry product and a statement indicating the method or preparation of the product with respect to which the label is to be used. Laboratories used for chemical analysis shall be any approved laboratory as defined in 8 Ill. Adm. Code 20.1.

- l) The Department does not approve terms for generic labeling and considers the approval of terms as generic to be the responsibility of the federal government.
- m) The Department does not issue a list of approved packaging materials and will permit for use any packaging material which has been approved by the U.S. Department of Agriculture (see 49 FR 2235, effective July 17, 1984).
- n) Labels and devices approved for use pursuant to Section 125.90 and this Section shall be disposed of only when such labels or devices have been mutilated or damaged or when the establishment ceases to do business. Such labels and devices shall be given to the inspector for disposition.
- o) The inspector shall grant authorization to transport labels, wrappers and containers bearing official marks from one official establishment to another official establishment provided the official establishment provides to the inspector the information required in 9 CFR 381.138 so that the inspector can notify the inspector at the destination point.
- p) Labels to be used for the relabeling of inspected and passed product shall be permitted to leave the official establishment when the product must be relabeled because the original labels have become mutilated or damaged. The official establishment shall reimburse the Department for any overtime costs, if applicable, involved for the inspector to supervise the relabeling of a product. The overtime charges shall be as set forth in Section 125.80.
- q) Labeling of custom slaughtered and/or custom processed poultry and/or poultry products and the containers containing custom slaughtered and/or custom processed poultry products shall be as set forth in Section 5 of the Act.
- r) The Department shall approve only those abbreviations for marks of inspection as specifically stated in Section 2.26(j)(3), (4), (5) and (9) of the Act.

(Source: Amended at 18 Ill. Reg. _____, effective _____)

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- 1) Heading of the Part: Joint Rules of the Comptroller and the Department of Central Management Services: Prompt Payment
- 2) Code Citation: 74 Ill. Adm. Code 900

<u>Section Numbers:</u>	<u>Proposed Action:</u>
900.10	New
900.20	New
900.30	New
900.40	New
900.50	New
900.60	New
900.70	New
900.80	New
900.90	New
900.100	New
900.110	New
900.120	New
900.130	New
900.140	New

- 4) Statutory Authority: Implementing the State Prompt Payment Act to require prompt payments by the State of Illinois for goods or services, approved December 19, 1975, as changed by Public Act 86-1383 and Public Act 87-1232 (Ill. Rev. Stat. 1991, ch. 127, par. 63b13.2 [20 ILCS 405/67.02])
- 5) Effective Date of Rule(s): July 11, 1994
- 6) Do these rulemakings contain an automatic repeal date? No
- 7) Do these rule contain incorporations by reference? No.
- 8) Date Filed in Agency's Principal Office: July 11, 1994
- 9) Notice(s) of Proposal Published in Illinois Register: July 16, 1993, 17 Ill. Reg. 10677

- 10) Has JCAR issued a Statement of Objections to these rules? No

- 11) Difference(s) between proposal and final version:

These rules were original proposed under the Office of the Comptroller, 74 Ill. Adm. Code 330 with a reference to the Department of Central Management Services, 74 Ill. Adm. Code 900. The adopted rules are found under the Department of Central Management Services, 74 Ill. Adm. Code 900 with a reference to the Office of the Comptroller, 74 Ill. Adm. Code 330. Differences are identified by using the 74 Ill. Adm. Code 330 citations.

As requested by the Administrative Code Division, the following change was made.

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Section 330.120: The label (a) was removed from the first paragraph and subsections (1) through (16) were relabeled (a) through (q) respectively.

As requested by the staff of the Joint Committee on Administrative Rules, the following changes were made:

Section 330.50: The prohibition of interest penalties more generous than those set forth in the Act was changed to specify that the prohibition is of interest penalties more generous to the vendor.

Section 330.140: Standards were added to govern how disputes will be resolved by the Comptroller and the Director of the Department of Central Management Services. References was made that the rules would be adopted pursuant to the Administrative Procedure Act.

As requested by the Department of Mental Health and Developmental Disabilities, the following changes were made:

Section 330.120: Medical and claims payments made by the State under the Workers' Compensation and Occupational Disease Act was added to the list of exceptions.

Further changes were made by both the Office of the Comptroller and the Department of Central Management Services:

Section 330.40: This Section was amended to provide that Travel Vouchers should also state that prompt payment interest may be available.

Section 330.70: If a written contract is required by State law, (a written contract is required for goods or services over \$5,000) any bills submitted before the contract is fully executed are deemed to be received when the contract is executed, rather than any earlier date, because payments may not be made until the contract is executed. The terminology "Date of Approval of a Bill" was changed to "Date of Approval of the Vendor's Bill" to be consistent with the definitional section.

Section 330.80: For bills submitted for future performance the Bill is deemed to be received by the State no earlier than when the future performance begins. A provision was added to provide that State employees may receive prompt payment interest for State reimbursement of travel expenses submitted by the employees on a Travel Voucher.

Section 330.100: A sentence was added explaining that interest will not be paid if the Date of Payment is also the date that interest goings to accrue was added.

Section 330.120: The list of excluded payments from the Act was clarified to show it is a non-exhaustive list.

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Pursuant to PA 98-494, the following changes were made:

Section 330.90(b): The dollar amount at which late payment interest may be requested was reduced from \$25.00 to \$5.00. Modified Section 330.90(b)(4) by deleting after the word "submitted", the words "after the Date of Payment".

Section 330.90(c): This section was modified. A revision to these rules to address conditions under which interest of less than \$5.00 may be claimed will be promulgated in the normal rulemaking process.

Pursuant to comment, the following changes were made:

Section 330.120(c): Awards, grants and refunds generally are identified as an exclusion.

Section 330.120(q): Medical and claims payments made under the Workers Compensation and Occupational Disease Act.

Section 330.130(e): This was modified to clarify that medical providers cannot claim late interest if they have already been paid by the member.

12) Have all the changes agreed upon by the agency and JC&R been made as indicated in the agreement letter issued by JC&R? No
No agreements were necessary.

13) Will this rule replace an emergency rule currently in effect? No

14) Are there any amendments pending on this Part? No

15) Summary and Purpose of Rule(s):

These rules define terms, describe the duties of State agencies in regard to processing late payment interest, require a notice on vouchers that vendors may be due interest if payment is late, establish procedures regarding submission and receipt of bills, tell the circumstances in which late payment interest is due, show how late payment interest is calculated, provide certain special requirements regarding group insurance bills and establish a dispute procedure.

16) Information and questions regarding these adopted rules shall be directed to:

Name: Ben Bagby
Address: 720 Stratton Office Building
Springfield, IL 62706

Telephone: (217) 782-9669

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The full text of the Adopted Rules begins on the next page:

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TITLE 74: PUBLIC FINANCE

CHAPTER VIII: CENTRAL MANAGEMENT SERVICES

PART 900

JOINT RULES OF THE COMPTROLLER AND THE DEPARTMENT OF
CENTRAL MANAGEMENT SERVICES:
PROMPT PAYMENT

Section	
900.10	Scope
900.20	Definitions
900.30	Duties of State Agencies
900.40	Statement Indicating That Interest Penalty May Be Available
900.50	Other Interest Provisions
900.60	When a Payment is Late
900.70	Approval by the State
900.80	Submission and Receipt of Bills
900.90	When and How Vendors Must Request Interest
900.100	Calculation of Interest
900.110	No Interest on Interest
900.120	Exclusions
900.130	Special Rules and Procedures Regarding the Application of the Act to the State Employee's Group Insurance Program
900.140	Resolution of Disputes

AUTHORITY: Implementing the State Prompt Payment Act to require prompt payments by the State of Illinois for goods or services (Ill. Rev. Stat. 1991, ch. 127, par. 132.400 through 132.407) [30 ILCS 540].

SOURCE: Emergency rules adopted at 17 Ill. Reg. 11168, effective July 1, 1993 for a maximum of 150 days; emergency expired on November 28, 1993; adopted at 18 Ill. Reg. _____, effective _____.

Section 900.10 Scope

- a) These rules are applicable to all State agencies as defined in the Illinois State Auditing Act (Ill. Rev. Stat. 1991, ch. 15, par. 301-1 et seq.) [30 ILCS 5] and shall be followed in determining whether and to what extent late payment interest is due.
- b) These rules apply to any bill for Goods or Services paid from funds appropriated by the General Assembly that is received on and after the effective date of these rules.
- c) Any bill for Goods or Services received prior to the effective date of these rules will be processed in accordance with the methodology used by the agency responsible for payment at the time of receipt of the bill.

Section 900.20 Definitions

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Except as otherwise defined in Section 900.130, the following definitions shall be used in interpreting these rules:

"Act" shall be defined as: the State Prompt Payment Act (Ill. Rev. Stat. 1991, ch. 127, par. 132.400 et seq.) [30 ILCS 540].

"Agency Head" shall be defined as: those persons given authority to approve payments by voucher for the various State officials and agencies as specified in the Act and Section 10 of the State Finance Act (Ill. Rev. Stat. 1991, ch. 127, par. 146) [30 ILCS 105/10].

"Bill" shall be defined as: the Vendor's standard bill or invoice for goods or services. For purposes of this Part, Bill shall include a State employee's travel voucher submitted when the State employee has paid for the travel and will be reimbursed by the State.

"DCMS" shall be defined as: the Department of Central Management Services.

"Date of Approval of the Vendor's Bill" shall be defined as: the date on which the Agency Head or designee signs the voucher requesting the Comptroller's Office or other agent of the State to issue a warrant to pay the bill.

"Date of Payment" shall be defined as: the date of issuance of the warrant by the Comptroller's office, other State officials and agencies or other agent of the State.

"Goods and Services" and "Goods or Services" shall be defined as: items of merchandise, supplies, raw materials, finished goods and duty, duties or labor rendered by one or more persons to a State official or agency for monetary or other consideration.

"Month" shall be defined as: any 30 day period.

"Vendor" shall be defined as: seller of goods or services. For purposes of this Part, Vendor shall include State employee who submits a travel voucher for reimbursement to the employee for travel.

Section 900.30 Duties of State Agencies

- a) It is the duty and responsibility of each State agency to develop and implement internal procedures that will permit full compliance with the provisions of the Act, this Part and the Comptroller's Uniform Statewide Accounting System ("CUSAS").
- b) Interest penalty payments must be processed on a separate Invoice Voucher payable to the Vendor.
- c) Interest penalty payments must be charged to the same expenditure authority account to which the related Goods or Services were charged.

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If the payment for Goods or Services was charged to an appropriation which has since been reappropriated, the interest penalty payment must be charged to the reappropriation.

- d) In the event the appropriation originally charged for the Goods or Services is exhausted and not reappropriated, the State agency shall, if authorized by law, transfer and obligate funds into the proper appropriation pursuant to Ill. Rev. Stat. 1991, ch. 127, par. 149.2 [30 ILCS 105/13.2] for payment of the interest penalty.

- e) In the event the appropriation originally charged with the Goods or Services is exhausted and the State agency has exhausted its transfer of funds authority pursuant to Ill. Rev. Stat. 1991, ch. 127, par. 149.2 [30 ILCS 105/13.2], the appropriation has lapsed or the agency has improperly refused to pay interest, Vendors may have recourse before the Court of Claims for payment of interest penalties.

- f) An interest penalty payment shall be deemed an outstanding liability of the fiscal year during which the contract for the Goods or Services giving rise to the interest penalty was entered.

- g) All State agencies must maintain written records reflecting date or dates on which:
 - 1) the Goods were received and accepted or the Services were rendered.
 - 2) the bill was received by the State agency.
 - 3) the appropriation from which the payment is to be made became law, if such date is later than the date or dates recorded for subsection (g)(1) or (g)(2) above.
 - 4) approval for payment of a bill was given by the Agency Head as indicated on the Invoice Voucher submitted to the Comptroller's Office.
 - 5) disapproval for payment of a bill was given by the Agency Head.

- h) The above-mentioned dates need not be maintained on a separate record. The dates may be maintained by:
 - 1) keeping the original bill.
 - 2) date-stamping the relevant dates on the bill.
 - 3) other reliable means as approved by each State agency.

- i) All State agencies must provide to the Comptroller's Office the applicable dates listed above, as well as the date of payment, on or attached to the Invoice Voucher submitted for payment of the interest penalty.

- j) Upon receipt of a Vendor's statement for the interest penalty, the State agency must respond to the Vendor's request within 60 days if the interest penalty is not appropriate under the Act, this Part, or the Comptroller's Uniform Statewide Accounting System manual, along with the reason why the interest penalty will not be paid. If requests for interest should be presented to the Court of Claims, that requirement should be communicated to the Vendor.

Section 900.40 Statement Indicating That Interest Penalty May Be Available

- a) To comply with the Act's mandate that all State invoices or vouchers

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indicate that payment of interest may be available for failure to comply with the Act, the remittance copy of each commercial Invoice Voucher for Goods or Services and Travel Voucher must contain the following statement or words of similar meaning:

"Payment of interest may be available if the State fails to comply with the State Prompt Payment Act (Ill. Rev. Stat. 1991, ch. 127, par. 132.400 et seq.) [30 ILCS 540]."

- b) This statement may be placed on any available portion of either side of the remittance copy of the Invoice Voucher.
- c) All State officials and agencies that create their own Invoice Voucher must include the statement indicating that an interest penalty may be available, as described above, on the remittance copy of each commercial Invoice Voucher and employee travel voucher.

Section 900.50 Other Interest Provisions

No agency may enter into a contract with a late payment interest provision more generous to the vendor than that provided in this Part.

Section 900.60 When a Payment is Late

A payment is late if the Date of Payment is not within 60 days after the Date of Approval of the Vendor's Bill.

Section 900.70 Approval by the State

- a) An agency shall review each Vendor's bill and shall either deny the bill in whole or in part, ask for more information necessary to review the bill, or approve the bill in whole or in part, within 30 days after physical receipt of the bill.

- b) If the Date of Approval of the Vendor's bill is after this 30 day period or the bill is denied after the 30 day period and subsequently approved, late payment interest shall be due if the Date of Payment is not within 90 days (30 days for approval and 60 day for payment) after receipt of the bill.

- c) If the agency and the Vendor have not formally executed a contract and State law requires a written contract, any bills submitted before the formal execution shall be deemed to be received when the contract is executed. State law allows payments to be made only after the formal contract is executed for Goods and Services over \$5,000.

Section 900.80 Submission and Receipt of Bills

- a) A bill submitted incomplete, lacking sufficient detail, lacking taxpayer identification number, or to an address or person other than one designated in written instructions from the State shall not be considered physically received until it is completed, additional detail provided, or reaches the proper address or person.
- b) A bill submitted lacking the Vendor's federal taxpayer identification

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number shall not be considered physically received until the Vendor provides the taxpayer identification number or a completed Internal Revenue Service Form W-9 certifying that the Vendor's taxpayer identification number has been applied for but not received and that the Vendor is not subject to backup withholding due to underreporting. A bill physically received prior to acceptance of Goods or Services by the State shall be considered received no earlier than the date of acceptance. Acceptance means the date on which the State, to the best of its ability at that time, determines contract requirements have been met. Acceptance for late payment calculation shall not be used by any Vendor to show acceptance of the Goods or Services for any other purpose.

- d) A bill physically received after acceptance of Goods or Services shall be considered received no earlier than the date of physical receipt.
- e) A Vendor may submit bills for future performance, such as to make lease or installment purchase payments, in advance of scheduled due dates, but such bills for purposes of this Part shall not be considered received by the State any earlier than when the future performance by the vendor begins.
- f) When the parties do not contemplate submission of a physical bill to the State, the date of final receipt of the Goods or Services shall be considered the date of the bill.
- g) State employees who are reimbursed by the State for their travel may receive late payment interest in accordance with this Part.

Section 900.90 When and How Vendors Must Request Interest

- a) Interest amounting to \$50 or more need not be requested by a Vendor. Agencies are responsible for paying such interest and are to do so within a reasonable time.

- b) Interest amounting to \$5 but less than \$50 must be requested by the Vendor.

- 1) The Vendor must submit a written statement to the appropriate State agency specifically requesting the State agency to pay an interest penalty to the Vendor.

- 2) The statement must include a description of the original transaction, the Vendor's taxpayer identification number, the date of the Vendor's invoice, the invoice amount and the date the bill was presented to the Agency.

- 3) The statement should, if possible, include the Vendor's invoice number, the voucher number, the appropriation account code, the obligation number (for contracts over \$5,000), the exact name of the Vendor or payee as the name appeared on the payment warrant, an estimate of the date upon which the interest penalty begins to accrue and any other information reasonably needed by the State agency to verify the interest penalty payment.

- 4) A request for the late payment interest penalty should be submitted within 90 days after the Date of Payment.

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- 5) Agencies are responsible for paying such interest and are to do so within a reasonable time.
- c) Interest amounting to less than \$5 will not be paid by the State, whether or not requested.

Section 900.100 Calculation of Interest

- a) Interest is calculated at the rate of 1% per month. This results in a daily interest factor of .00033 (.01/30).
- b) For each day payment is late, the amount late shall be multiplied by the daily interest factor to determine the late payment charge.
- c) The interest penalty shall be simple interest and not compound interest, meaning that the interest penalty is computed on the amount of the bill only and shall not include previously accrued interest.
- d) Interest shall not accrue on the Date of Payment. In the event the Date of Payment is the same date that interest begins to accrue, there shall be no interest payable by the State for purposes of efficiency to the State.

Section 900.110 No Interest on Interest

A request for payment of interest under this Act is not considered a bill and, therefore, not subject to the provisions of the Act; interest is not paid on interest calculated for a bill approved for payment.

Section 900.120 Exclusions

The following non-exhaustive list represents the types of payments that are excluded from the Act and consequently do not qualify for interest penalties:

- a) Inter- and intra-agency payments. This includes transfers and payments to revolving funds, reimbursement of petty cash funds and imprest accounts, inter-fund transfers and inter-fund payments in which an agency or department serves as the Vendor of Goods or Services.
- b) Payments to State employees for personal services (salary only and not including health insurance benefits).
- c) Awards and grants including pass-through grants and distributive payments and refunds.
- d) Contract retainers associated with construction contracts.
- e) State Board of Education categorical grants.
- f) Community College Board grants.
- g) Illinois Student Assistance Commission grants.
- h) Payments to local government entities, including school districts.
- i) Payments of interest penalties.
- j) Payments made to contractual employees (these payments are made on a Contractual Service Voucher).
- k) Medical assistance provided to public aid recipients and reimbursed from State funds under Articles V, VI and VII of the Illinois Public Aid Code.

DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

NOTICE OF ADOPTED RULES

- l) Payments from accounts or funds not appropriated by the General Assembly.
- m) Gratuitous payments made to induce a business to remain in or to locate in this State.
- n) Any type of payment to a Vendor assigned or sold by that Vendor to a different payee, including any assignments made by the Vendors to the Department of Public Aid.
- o) Barter transactions.
- p) Payments made by a State agency comprised of federal funds only and no State or local funds.
- q) Medical and claims payments under the Workers' Compensation and Workers' Occupational Diseases Acts.

Section 900.130 Special Rules and Procedures Regarding the Application of the Act to the State Employee's Group Insurance Program

For claims for payment related to the State Employee's Group Insurance Program the following applies:

- a) Late payment interest pertaining to health care payments may be made to and requested by a:
 - 1) Member -- any person who receives benefits through the State Employees Group Insurance Act program and whose benefits are paid through the Health Insurance Reserve Fund.
 - 2) Vendor -- any provider of health care to a member.
- b) The Date of Approval shall be the date the Department of Central Management Services approves the bill. The approval date given by an Administrative Services Organization (ASO) is not approval for purposes of determining whether a payment is late.
- c) The Date of Payment of the claim to the member or Vendor shall be the later of the date on the check or the date DCMS instructs a claims administrator to make the payment; ordinarily, this date is referred to as the date the payment has been released.
- d) A request for interest must contain the following information to be processed:
 - 1) An Explanation of Benefits form from the State's Administrative Services Organization. A duplicate is available from the ASO if needed; or
 - 2) Name of employee/member and claimant
Social Security number
Date of Service
Amount of claim
Claim control number
- e) Interest shall be payable only to the designated payee indicated on the claim. Ordinarily, the payee is the Vendor; however:
 - 1) if the payment of the claim has not been assigned to the Vendor by the member, interest may be requested by and paid to the member;
 - 2) if the Vendor is designated as the payee on the claim, the Vendor is entitled to any interest penalty due by the Act and

DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

NOTICE OF ADOPTED RULES

the Vendor shall not charge the member interest on any unpaid balance of the claim;

- 3) if payment of the claim is to be paid directly to the Vendor, and the member has paid any or all of the claim in advance of payment to the Vendor, the Vendor shall not charge the State or the member any late payment interest after the date the member made payment and shall so certify on its request for interest.

Section 900.140 Resolution of Disputes

In the event a situation arises which is not covered by this Part or the proper course of action is unclear, the Comptroller and the Director of the Department of Central Management Services or their designees shall meet to make determinations and, if necessary, suggest modifications to the rules to be adopted pursuant to Sections 5-40, 5-45 or 5-50 of the IAPA. In any such determination, the interested parties will be given an opportunity to make their views known as a part of the decision making process. The Comptroller and the Director of the Department of Central Management Services shall employ the following standards in making interpretations of this Part:

- a) fairness to the Vendor and to the State.
- b) avoidance of litigation.
- c) efficiency to the State.

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

NOTICE OF RECODIFICATION

- 1) Heading of the Part: Nondiscrimination Requirements of Department Service Providers
- 2) Code Citation: 89 Ill. Adm. Code 308
- 3) Date of Administrative Code Division Review: July 11, 1994
- 4) Headings and Section Numbers of the Part Being Recodified:

<u>Section Numbers</u>	<u>Headings:</u>
308.1	Purpose
308.2	Definitions
308.3	The Department's Nondiscrimination with Respect to Private Purchase of Service Providers
308.4	Affirmative Action and Civil Compliance
308.5	Complaints Alleging Discrimination in Service Delivery
308.6	Complaints Alleging Discrimination in Employment
308.7	Contract Termination

- 5) Outline of the Section Numbers and Headings of the Part as Recodified:

<u>Section Numbers</u>	<u>Headings:</u>
308.10	Purpose
308.20	Definitions
308.30	The Department's Nondiscrimination with Respect to Private Purchase of Service Providers
308.40	Affirmative Action and Civil Compliance
308.50	Complaints Alleging Discrimination in Service Delivery
308.60	Complaints Alleging Discrimination in Employment
308.70	Contract Termination

- 6) Conversion Table of Present and Recodified Parts:

<u>Present Part:</u>	<u>Recodified Part:</u>
308.1	308.10
308.2	308.20
308.3	308.30
308.4	308.40
308.5	308.50
308.6	308.60

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

NOTICE OF RECODIFICATION

308.7

308.70

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

NOTICE OF ADOPTED AMENDMENTS

- 1) Heading of the Part: Rate Setting
- 2) Code Citation: 89 Ill. Adm. Code 356
- 3) Section Numbers: Proposed Action:
356.5 Amendment
- 4) Statutory Authority: Implementing and authorized by the Children and Family Services Act (Ill. Rev. Stat. 1991, ch. 23, par. 5001 et seq.) [20 ILCS 505]
- 5) Effective Date of Rule(s): July 8, 1994
- 6) Does this rulemaking contain an automatic repeal date? No
- 7) Does this rule contain incorporations by reference? No.
- 8) Date Filed in Agency's Principal Office: July 1, 1994
- 9) Notice(s) of Proposal Published in Illinois Register:
17 Ill. Reg. 10679 - July 16, 1993
- 10) Has JCAR issued a Statement of Objections to these rules? No
- 11) Difference(s) between proposal and final version:
A technical correction was made to the Authority Note, and editing changes were made elsewhere.
- 12) Have all the changes agreed upon by the agency and JCAC been made as indicated in the agreement letter issued by JCAR? Yes
- 13) Will this rule replace an emergency rule currently in effect? No
- 14) Are there any amendments pending on this Part? No
- 15) Summary and Purpose of Rule(s):
These amendments revise the method the Department uses to calculate the rate of reimbursement for child day care purchased from programs which are not required to be licensed pursuant to the Child Care Act of 1969. The amendments comply with 45 CFR 98.43 - the federal regulations under which the State receives Child Care Block Grant Funds.
- 16) Information and questions regarding this adopted amendment shall be directed to:

Name: Jacqueline Nottingham, ChiefAddress: Office of Rules and Procedures
Department of Children and Family Services
406 East Monroe

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

NOTICE OF ADOPTED AMENDMENTS

Springfield, Illinois 62701-1498

Telephone: 217/524-1983

TTY : 217/524-3715

The full text of the Adopted Amendment begins on the next page:

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

NOTICE OF ADOPTED AMENDMENTS

TITLE 89: SOCIAL SERVICES
CHAPTER III: DEPARTMENT OF CHILDREN AND FAMILY SERVICES
SUBCHAPTER C: FISCAL ADMINISTRATION

PART 356
RATE SETTING

Section	Purpose
356.1	Purpose
356.2	Definitions
356.3	Types of Reimbursement Made by the Department
356.4	Cost Information Requirements of Providers
356.5	Determining Rate Reimbursement Levels
356.6	Disallowable Costs and Reduced Reimbursement
356.7	Notice and Appeal of Provider Rates

AUTHORITY: Implementing and authorized by the Children and Family Services Act (Ill. Rev. Stat. 1991, ch. 23, par. 5001 et seq.) [20 ILCS 505].

SOURCE: Adopted at 5 Ill. Reg. 324, effective December 29, 1981; amended at 6 Ill. Reg. 11851, effective September 30, 1982; amended at 10 Ill. Reg. 11432, effective July 1, 1986; amended at 11 Ill. Reg. 675, effective January 3, 1987; amended at 11 Ill. Reg. 7255, effective April 15, 1987; amended at 18 Ill. Reg. _____, effective _____.

Section 356.5 Determining Rate Reimbursement Levels

This Section applies to those situations where the Department promulgates standard or individual rates identified in Section 356.3(b)(2) and (3).

- a) Forms - Financial reporting forms shall be used in establishing rates of reimbursement, regardless of the type of service provided.
- b) For-Profit Agencies - Contracts with for-profit agencies must clearly identify any profit factor which must directly correspond to units of services provided. Profit will be categorized as an administrative cost and will be limited to nine percent of the total contract amount. Profit will also be included in calculating the overall administrative cost standard.
- c) Reasonable Cost Standards - Reasonable cost standards shall be applied to certain categories of costs except that program and transportation costs may be exempted if warranted by the special needs of the clientele. The reasonable cost standards establish reimbursement ceilings for categories of costs. The standards are derived from the median costs of all agencies providing similar services. Fringe benefits above 25 percent of salaries shall not be reimbursed by the Department. Administrative costs may not exceed 20 percent of the costs for other services. Reimbursement may exceed the reasonable cost standards if a higher rate is negotiated as a result of a rate appeal that clearly demonstrates that costs in excess of the standard(s) are the result of a necessary level of resources purchased

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in a prudent manner. However, administrative costs may not exceed 20 percent of the costs of other services.

- d) Revenues to be Offset - Revenues to be offset shall include grants, other non-purchase-of-service revenue from other governmental agencies, revenues from the school lunch program, and revenues from local education agencies. All revenues to be offset shall be reported by the provider. These revenues will be considered as part of the resources available to the provider in determining reasonable costs. The Department will not reimburse a provider for the proportion of services or administrative charges that have been paid, wholly, or in part, by such revenues.

- e) Units of Service and Provider Capacity - Reimbursement rates shall be determined on the basis of actual units of service provided or the median utilization for all agencies providing similar services, whichever is greater. However, significant deviations from the utilization level may be used in rate-setting if unusual circumstances beyond the control of the provider directly caused a significant change in occupancy rates.

- f) Special Provisions for Calculating Individual Rate Reimbursement including Child Care Institutions, Group Homes, Maternity Centers, and Shelter Programs.

- 1) The Department will conduct a joint rate calculation with the Illinois Department of Mental Health and Developmental Disabilities.

- 2) Reimbursement rates shall be determined on the basis of actual units of service provided, or the median utilization level for all similar providers, whichever is greater. The maximum utilization level that will be used to determine reimbursement rates shall be 98 percent of licensed or approved program capacity. For the purpose of establishing the median utilization level, Residential residential programs will be grouped into two categories:

- A) Child Care Institutions and Group Homes; and

- B) Maternity Homes and approved Shelter programs.

- 3) The reasonable cost standards for support and ownership costs shall be 120 percent of the median costs of all similar providers. Providers shall be deemed dissimilar, and subject to an adjusted cost standard if one or more of the following conditions has occurred on or after July 1, 1983: the provider has built an entirely new building used directly by clients of the program, the provider has renovated a building used directly by program clients and the annual depreciation and/or interest costs are \$20,000 or more, or the provider has entered a first-time lease for a building used directly by program clients. These costs shall be demonstrated by an annual audit cost report and accompanying notes as prescribed by 89 Ill. Adm. Code 434 (Audits, Reviews, and Investigations). The reasonable cost standards shall include a geographic differential factor to reflect the differences in costs due to geographic location when

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

NOTICE OF ADOPTED AMENDMENTS

such cost differentials exist. The existence of such differentials is determined by measurement of the audited costs reported by providers and the application of generally accepted statistical tests to these costs. Any geographic differential factor which results from these tests is included in the Department's rate notices sent to providers.

- 4) Historical costs, except depreciation, interest and amortization of allowable preoperating expenses shall be increased by inflation adjustment factor to reflect the increases in costs caused by general inflation. The maximum increase in a facility's reimbursement rate shall be 150 percent of the inflation adjustment factor for the most current year. The percentage limitation shall be applied to the most recent rate unless that rate declined due to a combination of both reduced utilization and reduced costs. In such case, the next most recent rate shall be used to determine the allowable maximum increase. This limitation will not be applied to cost increases mandated by regulatory agencies or program changes approved by the Department Director.

- 5) New start programs not having historical costs shall have a rate set via a process which begins with completion of a projected historical cost budget in the same format used to set historical cost rates. The Regional Office developing the contract shall negotiate costs based on a comparison of the budget with levels of staffing generally needed for similar programs; with prevailing wage rates; and with levels of supply, ownership, support and other costs common to similar programs. The Office of Contracts and Grants shall review the results and shall engage in further negotiations when an examination of submitted data determines an anomaly or disparity in the data in comparison to other data submitted by other providers. A new start rate shall then be set using the reasonable cost standards applying to the particular program under the terms of this Rule with one exception: To allow for the phase-in placement of clients, the divisor applied to costs will be the greater of:

- A) the number five percentage points lower than the median utilization level applying to ongoing programs of the same type; or

- B) the projected utilization agreed to by the Department and the provider.

- g) Special Provisions for Calculation of Standard Rate Reimbursement Levels for Day Care Programs Centers

- 1) Reimbursement rates will be calculated from the costs and utilization information presented in the independent audits. Only reported costs of facilities under contract with the Department will be considered for calculating reimbursement rates.

- 2) The Department will calculate standard reimbursement rates for all similar facilities. The facilities will be separated into geographic groupings that reflect the differences in costs due to

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

NOTICE OF ADOPTED AMENDMENTS

geographic location. A standard reimbursement rate will be calculated for each geographic grouping.

- 3) A portion of the fair market value of donated goods and services will be considered for the calculating of standard reimbursement rates. Day care programs centers are hereby excluded from the prohibition of inclusion of the costs of donated goods and services as stated in Section 356.6, Disallowable Costs and Reduced Reimbursement.

- 4) The divisor applied to costs in order to calculate rates shall be the greater of 85 percent of the licensed or approved program capacity or actual units of service.

- 5) The Department may make adjustments to reported wage and salary levels if it determines that they are insufficient to attract capable caregivers in sufficient numbers.

- h) Special Provisions for Calculation of Standard Rate Reimbursement for Non-Center Based Day Care Programs

- 1) Reimbursement rates will be calculated from the results of separate market surveys completed on licensed non-center based day care programs and on those not required to be licensed. For licensed non-center based programs, the market survey will be conducted using a statistically valid random statewide sample of all such programs. For non-center based programs not required to be licensed, the statistically valid random sample will include an equal number of providers who accept State funds and those listed with the Statewide Child Care Resource and Referral Network but not funded by the State.

- 2) The Department will calculate separate reimbursement rates for licensed non-center based day care and for non-center based day care programs not required to be licensed. The non-center based day care programs will be separated into geographic groupings that reflect the differences in costs due to geographic location. Standard reimbursement rates will be calculated for each geographic grouping for licensed non-center based programs and for those not required to be licensed.

(Source: Amended at 18 Ill. Reg. _____, effective _____)

ILLINOIS COMMERCE COMMISSION

NOTICE OF ADOPTED AMENDMENT

- 1) Heading of the Part: Minimum Safety Standards for Transportation of Gas and for Gas Pipeline Facilities

- 2) Code Citation: 83 Ill. Adm. Code 590

- 3) Section Numbers: Adopted Action:

590.10

Amendment

- 4) Statutory Authority: Implementing and authorized by Section 3 of the Illinois Gas Pipeline Safety Act [220 ILCS 20/3].

- 5) Effective Date of Amendment: July 25, 1994

- 6) Does this rulemaking contain an automatic repeal date? No.

- 7) Does this amendment contain incorporations by reference? Yes. JCAR approval not required.

- 8) Date Filed in Agency's Principal Office? July 7, 1994

- 9) Notice of Proposal Published in Illinois Register: February 25, 1994, at 18 Ill. Reg. 2720.

- 10) Has JCAR issued a Statement of Objections to this amendment? No.

- 11) Difference(s) between proposal and final version? None.

- 12) Have all the changes agreed upon by the agency and JCAR been made as indicated in the agreement letter issued by JCAR? None required.

- 13) Will this amendment replace an emergency amendment currently in effect? No. 14) Are there any amendments pending on this Part? No.

- 15) Summary and Purpose of Amendment: This amendment updates the Commission's incorporation by reference to comply with Section 3 of the Illinois Gas Pipeline Safety Act.

- 16) Information and questions regarding this adopted amendment shall be directed to:

Conrad Rubinkowski
Illinois Commerce Commission
527 East Capitol Avenue
P.O. Box 19280
Springfield, IL 62794-9280
(217)785-8439

ILLINOIS COMMERCE COMMISSION

NOTICE OF ADOPTED AMENDMENT

The full text of the Adopted Amendment begins on the next page:

ILLINOIS COMMERCE COMMISSION

NOTICE OF ADOPTED AMENDMENT

TITLE 83: PUBLIC UTILITIES
CHAPTER 1: ILLINOIS COMMERCE COMMISSION
SUBCHAPTER d: GAS UTILITIES

PART 590

MINIMUM SAFETY STANDARDS FOR TRANSPORTATION
OF GAS AND FOR GAS PIPELINE FACILITIESSection
590.10 Standards

AUTHORITY: Implementing and authorized by Section 3 of the Illinois Gas Pipeline Safety Act (Ill. Rev. Stat. 1991, ch. 111 2/3, par. 553) [220 ILCS 20/3].

SOURCE: Filed effective November 28, 1977; amended at 3 Ill. Reg. 5, p. 761, effective February 3, 1979; amended at 3 Ill. Reg. 11, p. 25, effective March 17, 1979; amended at 4 Ill. Reg. 1, p. 23, effective January 1, 1980; amended at 5 Ill. Reg. 6778, effective June 16, 1981; rules repealed, new rules adopted and codified at 7 Ill. Reg. 12858, effective September 16, 1983; amended at 8 Ill. Reg. 13195, effective July 16, 1984; amended at 10 Ill. Reg. 19405, effective November 15, 1986; amended at 11 Ill. Reg. 11733, effective July 1, 1987; amended at 12 Ill. Reg. 11707, effective July 15, 1988; recodified from 92 Ill. Adm. Code 1800 at 12 Ill. Reg. 12997; amended at 13 Ill. Reg. 16968, effective November 1, 1989; amended at 14 Ill. Reg. 10018, effective June 15, 1990; amended at 17 Ill. Reg. 12291, effective July 15, 1993; amended at 18 Ill. Reg. _____, effective _____.

Section 590.10 Standards

- a) The Illinois Commerce Commission adopts the standards contained in 49 CFR 191.23, 192, 193 and 199 as of January 1, 1993 1994, as its minimum safety standards for the transportation of gas and for gas pipeline facilities.
- b) No later amendment or editions are incorporated by this Part.

(Source: Amended at 18 Ill. Reg. _____, effective _____)

OFFICE OF THE COMPTROLLER

NOTICE OF ADOPTED RULES

- 1) Heading of the Part: Joint Rules of the Comptroller and the Department of Central Management Services: Prompt Payment
- 2) Code Citation: 74 Ill. Adm. Code 330
- 3) Section Numbers:
Not applicable Proposed Action:
- 4) Statutory Authority: Implementing the State Prompt Payment Act to require prompt payments by the State of Illinois for goods or services, approved December 19, 1975, as changed by Public Act 86-1383 and Public Act 87-1232 (Ill. Rev. Stat. 1991, ch. 127, par. 63b13.2 [20 ILCS 405/67.02])
- 5) Effective Date of Rule(s): July 11, 1994
- 6) Does this rulemaking contain an automatic repeal date? No
- 7) Does this rule contain incorporations by reference? No.
- 8) Date Filed in Agency's Principal Office: July 11, 1994
- 9) Notice(s) of Proposal Published in Illinois Register:
July 16, 1993, 17 Ill. Reg. 11168
- 10) Has JCER issued a Statement of Objections to these rules? No
- 11) Difference(s) between proposal and final version:

These rules were originally proposed under the Office of the Comptroller, 74 Ill. Adm. Code 330 with a reference to the Department of Central Management Services, 74 Ill. Adm. Code 900. The adopted rules are found under the Department of Central Management Services, 74 Ill. Adm. Code 900 with a reference to the Office of the Comptroller, 74 Ill. Adm. Code 330. Differences are identified by using the 74 Ill. Adm. Code 330 citations.

As requested by the Administrative Code Division, the following change was made:

Section 330.120: The label(a) was removed from the first paragraph and subsections(l) through (16) were relabeled(a) through (q) respectively.

As requested by the staff of the Joint Committee on Administrative Rules, the following changes were made:

Section 330.50: The prohibition of interest penalties more generous than those set forth in the Act was changed to specify that the prohibition is of interest penalties more generous to the vendor.

Section 330.140: Standards were added to govern how disputes will be resolved by the Comptroller and the Director of the Department of Central

OFFICE OF THE COMPTROLLER

NOTICE OF ADOPTED RULES

Management Services. References was made that the rules would be adopted pursuant to the Administrative Procedure Act.

As requested by the Department of Mental Health and Developmental Disabilities, the following changes were made:

Section 330.120: Medical and claims payments made by the State under the Workers' Compensation and Occupational Disease Act was added to the list of exceptions.

Further changes were made by both the Office of the Comptroller and the Department of Central Management Services:

Section 330.40: This Section was amended to provide that Travel Vouchers should also state that prompt payment interest may be available.

Section 330.70: If a written contract is required by State law, (a written contract is required for goods or services over \$5,000) any bills submitted before the contract is fully executed are deemed to be received when the contract is executed, rather than any earlier date, because payments may not be made until the contract is executed. The terminology "Date of Approval of a Bill" was changed to "Date of Approval of the Vendor's Bill" to be consistent with the definitional section.

Section 330.80: For bills submitted for future performance the Bill is deemed to be received by the State no earlier than when the future performance begins. A provision was added to provide that State employees may receive prompt payment interest for State reimbursement of travel expenses submitted by the employees on a Travel Voucher.

Section 330.100: A sentence was added explaining that interest will not be paid if the Date of Payment is also the date that interest begins to accrue was added.

Section 330.120: The list of excluded payments from the Act was clarified to show it is a non-exhaustive list.

Pursuant to PA 88-494, the following changes were made.

Section 330.90(b): The dollar amount at which late payment interest may be requested was reduced from \$25.00 to \$5.00. Modified Section 330.90(b)(4) by deleting after the word "submitted", the words "after the Date of Payment".

Section 330.90(c): This section was modified. A revision to these rules to address conditions under which interest of less than \$5.00 may be claimed will be promulgated in the normal rulemaking process.

Pursuant to comment, the following changes were made:

OFFICE OF THE COMPTROLLER

NOTICE OF ADOPTED RULES

Section 330.120(c): Awards, grants and refunds generally are identified as an exclusion.

Section 330.120(q): Medical and claims payments made under the Workers Compensation and Occupational Disease Act.

Section 330.130(e): This was modified to clarify that medical providers cannot claim late interest if they have already been paid by the member.

12) Have all the changes agreed upon by the agency and JCAR been made as indicated in the agreement letter issued by JCAR? No agreements were necessary.

13) Will this rule replace an emergency rule currently in effect? No

14) Are there any amendments pending on this Part? No

15) Summary and Purpose of Rule(s):

These rules define terms, describe the duties of State agencies in regard to processing late payment interest, require a notice on vouchers that vendors may be due interest if payment is late, establish procedures regarding submission and receipt of bills, tell the circumstances in which late payment interest is due, show how late payment interest is calculated, provide certain special requirements regarding group insurance bills and establish a dispute procedure.

16) Information and questions regarding this adopted rule shall be directed to:

Name: Kim Kirn

Address: Office of the Comptroller, Second Floor
Springfield, IL 62706

Telephone: (217)782-6000

The full text of the Adopted Rule begins on the next page:

DEPARTMENT OF NUCLEAR SAFETY

NOTICE OF ADOPTED RULES

1) Heading of the Part: USE OF X-RAYS IN THE HEALING ARTS INCLUDING MEDICAL, DENTAL, PODIATRY, AND VETERINARY MEDICINE

2) Code Citation: 32 Ill. Adm. Code 360

3) <u>Section Number:</u>	<u>Adopted Action:</u>
360.10	Amendment
360.20	Amendment
360.30	Amendment
360.40	Amendment
360.50	Amendment
360.90	Amendment
360.100	Amendment
360.110	Amendment
360.120	Amendment
APPENDIX A	Amendment
TABLE A	Amendment

4) Statutory Authority: Implementing and authorized by the Radiation Protection Act of 1990 (Ill. Rev. Stat. 1991, ch. 111?, par. 210-1 et seq.) [420 ILCS 40].

5) Effective Date of Rules: Jul 11 1993

6) Does this rulemaking contain an automatic repeal date? No

7) Does this amendment contain incorporations by reference? Yes, the amendment contains material incorporated by reference pursuant to Section 100/5-75(a) of the Administrative Procedure Act [5 ILCS 100/5-75(a)].

8) Date filed in Agency's Principal Office: July 8, 1994

9) Notice of Proposal Published in the Illinois Register:

March 18, 1994 (18 Ill. Reg. 3996)

10) Has JCAR issued a Statement of Objections to these Rules? No

11) Differences between proposal and final version:

a) In Section 360.50(1), on line 1, by removing the word "requirements" shown as stricken and removing the underline and retaining the word "Requirements".

b) In Section 360.90(d)(3), on line 3, by changing the period to a semi-colon after the word "above".

c) In Section 360.120:

DEPARTMENT OF NUCLEAR SAFETY

NOTICE OF ADOPTED RULES

in subsection (d)(3)(C), in the Agency Note, on line 6, by deleting the comma after the word "Park"; and

in subsection (f)(4), in the Agency Note, on line 8, by deleting the comma after the word "park".

d) In Section 360. Appendix A:

in subsection (d)(2)(B), in the Agency Note, on line 6, by deleting the comma after the word "Park"; and

in subsection (f), by changing the equation as follows:

$$\text{ESE} = (\text{Dosimeter Reading}) \times [\text{SDD/SSD}]$$

2

12) Have all the changes agreed upon by the agency and JCAR been made as indicated in the agreement letter issued by JCAR? The Joint Committee on Administrative Rules did not issue an agreement letter for this Part.

13) Will these rules replace an emergency rule currently in effect? No

14) Are there any amendments pending on this Part? No

15) Summary and Purpose of Amendments: This Amendment will: (a) change cross references and update terminology in this Part to conform with recently-adopted amendments to 32 Ill. Adm. Code 310 and 340; (b) update incorporations by reference to show the current address of the American Association of Physicists in Medicine; (c) change the name of the occupation described as "radiation therapy technologist" to "radiation therapist" as used in 32 Ill. Adm. Code 401; (d) add provisions in Sections 360.50 and 360.90 to allow the use of distance to limit radiation doses; (e) adjust the exposure limit table in Section 360.90(b); and (f) reorganize the provisions of Section 360.110(d) to make it clearer to the medical community.

DEPARTMENT OF NUCLEAR SAFETY

NOTICE OF ADOPTED RULES

16) Information and questions regarding these amendments shall be directed to:

Valerie Puccini
Staff Attorney
Department of Nuclear Safety
1035 Outer Park Drive
Springfield, Illinois 62704
(217) 785-9881 (voice)
(217) 782-6133 (TDD)

The full text of the Adopted Amendments begins on the next page:

DEPARTMENT OF NUCLEAR SAFETY

NOTICE OF ADOPTED RULES

TITLE 32: ENERGY

CHAPTER II: DEPARTMENT OF NUCLEAR SAFETY
SUBCHAPTER b: RADIATION PROTECTION

PART 360

USE OF X-RAYS IN THE HEALING ARTS INCLUDING MEDICAL, DENTAL,
PODIATRY, AND VETERINARY MEDICINE

Section	
360.10	Scope
360.20	Definitions
360.30	General Requirements and Administrative Controls
360.40	General Equipment and Operation Requirements for Diagnostic X-Ray Systems
360.41	Additional Requirements for Use of Diagnostic X-Ray Systems in the Healing Arts of Medicine, Podiatry and Chiropractic
360.50	Fluoroscopic Systems
360.60	Radiographic Systems Other Than Fluoroscopic, Dental, Veterinary or Computed Tomography Systems
360.70	Mobile/Portable Radiographic Systems Other Than Systems Used Solely for Mammography (Repealed)
360.71	Additional Requirements for Facilities Performing Mammography
360.75	Computed Tomography (CT) Systems
360.80	Photofluorographic Systems (Repealed)
360.90	Dental Radiographic Systems
360.100	Veterinary Radiographic Systems
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AUTHORITY: Implementing and authorized by the Radiation Protection Act of 1990 (Ill. Rev. Stat. 1991, ch. 111 1/2, par. 210-1 et seq.) [420 ILCS 40].

SOURCE: Filed April 20, 1974 by the Department of Public Health; old rules repealed, new rules adopted at 4 Ill. Reg. 25, p. 157, effective July 1, 1980; transferred to the Department of Nuclear Safety by P.A. 81-1516, effective December 3, 1980; codified at 7 Ill. Reg. 16406; amended at 10 Ill. Reg. 13271, effective July 28, 1986; amended at 13 Ill. Reg. 803, effective April 1, 1989; amended at 15 Ill. Reg. 6180, effective April 16, 1991; amended at 17 Ill. Reg. 17972, effective October 15, 1993; amended at 18 Ill. Reg. _____, effective _____.

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Section 360.10 Scope

- a) This Part establishes requirements for use of x-ray producing devices in the healing arts by a practitioner licensed to practice a treatment of human ailments by virtue of the Medical Practice Act of 1987 (Ill. Rev. Stat. 1991, ch. 111, pars. 4401-1 et seq.) [225 ILCS 60], the Illinois Dental Practice Act (Ill. Rev. Stat. 1991, ch. 111, pars. 2301 et seq.) [225 ILCS 25], or the Podiatric Medical Practice Act of 1987 (Ill. Rev. Stat. 1991, ch. 111, pars. 4801 et seq.) [225 ILCS 100], or by a medical radiographer or radiation therapy technologist therapist accredited in accordance with the provisions of 32 Ill. Adm. Code 401.100 or an individual exempt from the provisions of 32 Ill. Adm. Code 401.100, by Section 401.30 of that Part, acting under the supervision, prescription or direction of such licensed person or the non-human use of x-ray by veterinarians by virtue of the Veterinary Medicine and Surgery Practice Act of 1983 (Ill. Rev. Stat. 1991, ch. 111, pars. 7001 et seq.) [225 ILCS 115]. The provisions of this Part are in addition to, and not in substitution for, other applicable provisions of 32 Ill. Adm. Code 310, 320, 340, 400 and 410.
- b) It is recognized that some installations and equipment designed before the adoption of this Part, coupled with conditions of use, may be adequate to achieve minimum exposures doses. Request for exemption from some provisions of this Part will be considered in accordance with 32 Ill. Adm. Code 310.30(a).

(Source: Amended at 18 Ill. Reg. _____, effective _____.)

Section 360.20 Definitions

As used in this Part, the following definitions apply:
 "Accelerator" (also "particle accelerator") means any therapeutic machine capable of producing a useful beam of x-rays or charged particles with energies of 1 MeV or greater. Accelerators include cyclotrons, betatrons and linear accelerators.

"Accelerator facility" means the location at which one or more particle accelerators are installed and are operated under the same administrative control.

"Aluminum equivalent" means the thickness of type 1100 aluminum alloy affording the same attenuation, under specified conditions, as the material in question. The nominal chemical composition of type 1100 aluminum alloy is 99.00 percent minimum aluminum, 0.12 percent copper.

"Applicator" means a structure which determines the extent of the treatment field at a given distance from the source of the beam.

"Attenuation block" means a block or stack, having dimensions 20

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centimeters by 20 centimeters by 3.8 centimeters, of aluminum equivalent. Copper may be substituted for aluminum if an appropriate thickness is used for the kVp selected, as indicated below:

kVp	Millimeters of Copper Equivalent to 3.8 centimeters of aluminum
99 or less	2.0
100 to 125	2.5
greater than 125	3.0

"Automatic exposure control" means a device which automatically controls one or more technique factors in order to obtain at a preselected location(s) a required quantity of radiation (see "Phototimer").

"Barrier" (see "Protective barrier").

"Beam" means a flow of electromagnetic or particulate radiation which passes through the opening in the beam limiting device and which is used for diagnosis or treatment.

"Beam axis" (see "Central axis of the beam").

"Beam-limiting device" means a device which provides a means to restrict the dimensions of the x-ray field (see "Collimator", "Diaphragm" and "Shutter").

"Beam monitoring system" means a system of devices that will monitor the useful beam during irradiation and will terminate irradiation when a preselected number of monitor units has been accumulated.

"Beam scattering filter" means a filter placed in an electron beam in order to scatter the beam and provide a more uniform distribution of electrons in the beam.

"Central axis of the beam" means the line passing through the source of the beam and the center of the plane formed by the edge of the first beam-limiting device.

"Charged particle beam" (see "Beam").

"Coefficient of variation" means the ratio of the standard deviation to the mean value of a population of observations.

"Collimator" means a device or mechanism by which the x-ray beam is restricted in size (see "Beam-limiting device").

"Computed tomography (CT)" means the production of a tomogram by the acquisition and computer processing of x-ray transmission data.

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"Computed tomography dose index (CTDI)" means the integral of the dose profile along a line perpendicular to the tomographic plane divided by the product of the nominal tomographic section thickness and the number of tomograms produced in a single scan.

"Contact therapy system" means an x-ray system used for therapy which is designed for very short treatment distances (5 centimeters or less), usually employing peak tube potentials in the range of 20 to 50 kVp.

"Control panel" means that part or parts of the x-ray system upon which are mounted the switches, knobs, pushbuttons and other hardware necessary for setting the technique factors prior to initiating an x-ray exposure.

"CT gantry" means the tube housing assemblies, beam-limiting devices, detectors and the supporting structures and frames which hold these components.

"Dead-man switch" means a switch constructed so that a circuit-closing contact can be maintained only by continuous pressure on the switch by the operator.

"Densitometer" means a device which is used to provide a quantitative measurement of the optical density of x-ray film to determine the response of the film to exposure and development.

"Diagnostic imaging specialist" means a person who possesses the knowledge, training and experience to apply the principles of radiological physics to diagnostic x-ray applications. A diagnostic imaging specialist shall meet one of the two criteria below:

Be certified by the American Board of Radiology, the American Board of Medical Physics or the Canadian College of Medical Physics in:

Diagnostic radiological physics; or
Radiological physics.

Be approved by the Department as a qualified nondepartment inspector pursuant to the provisions of 32 Ill. Adm. Code 410.30, and:

Have 3 years of experience performing radiation measurements and quality assurance duties for diagnostic imaging facilities; or

Have 2 years of experience performing radiation measurements and quality assurance duties and have undertaken a training program of at least 40 hours, conducted by a diagnostic imaging specialist, and which includes instruction in quality assurance procedures and the requirements of this Part.

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AGENCY NOTE: A person performing physics duties for a diagnostic facility should have experience in the same field for which the duties are performed. For example, an individual providing support to mammography facilities should have 3 years of mammography experience. It is recognized that 3 years of experience for various imaging modalities could be gained concurrently.

"Diagnostic source assembly" means an x-ray tube housing assembly, designed for use in diagnostic x-ray applications, with a beam-limiting device attached.

"Diaphragm" means a device or mechanism by which the x-ray beam is restricted in size (see "Beam-limiting device").

"Field flattening filter" means a filter used to provide dose uniformity over the area of a useful beam of x-rays at a specified depth.

"Filter" means material placed in the useful beam to absorb, preferentially, radiations based on energy level or to modify the spatial distribution of the beam.

"Gantry" means that part of the system supporting and allowing possible movements of the radiation head.

"General purpose x-ray system" means any radiographic x-ray system which, by design, is not limited to radiographic examination of specific anatomical regions.

"Gonad shield" means a protective device for the testes or ovaries which provides a minimum of 0.5 millimeter lead equivalent protection.

"Half-value layer (HVL)" means the thickness of a specified material that attenuates the beam of radiation to an extent such that the exposure rate is reduced to one-half of its original value.

AGENCY NOTE: The contribution of all scattered radiation, other than any that might be present initially in the beam concerned, should be minimized.

"Healing arts screening" means the examination of human beings using x-ray machines for the detection or evaluation of potential diseases when such examinations are not specifically ordered by a licensed practitioner of the healing arts legally authorized to prescribe such x-ray examinations for the purpose of diagnosis or treatment. However, healing arts screening does not include mammography on self-referred patients.

"Image intensifier" means a device, installed in a housing, which

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converts an x-ray pattern into a corresponding light image, usually by electronic means.

"Image receptor" means any device, such as a fluorescent screen or radiographic film, which transforms incident x-ray photons either into a visible image or into another form which can be made into a visible image by further transformations.

"Interlock" means a device arranged or connected such that the occurrence of an event or condition is required before a second event or condition can occur or continue to occur.

"Isocenter" means a fixed point in space located at the center of the smallest sphere through which the central axis of the useful beam passes at any beam orientation.

"Kilovolts peak (kVp)" means the crest value, in kilovolts, of the electric potential applied to the x-ray tube between the cathode and anode of a pulsating electric potential generator.

"Lead equivalent" means the thickness of lead affording the same attenuation, under specified conditions, as the material in question.

"Leakage radiation" means all radiation emanating from the diagnostic source assembly except for:

The useful beam; and

The radiation produced when the exposure switch or timer is not activated.

"Leakage technique factors" means the technique factors used to measure leakage radiation from the diagnostic source assembly. They are defined as follows:

For capacitor energy storage equipment, the maximum-rated peak tube potential and the maximum-rated number of exposures in 1 hour for operation at the maximum-rated peak tube potential with the quantity of charge per exposure being 10 millicoulombs, i.e., 10 milliamperes-seconds, or the minimum obtainable from the unit, whichever is larger.

For field emission equipment rated for pulsed operation, the maximum-rated peak tube potential and the maximum-rated number of x-ray pulses in 1 hour for operation at the maximum-rated peak tube potential.

For all other equipment, the maximum-rated peak tube potential and the maximum-rated continuous tube current for the maximum-rated peak tube potential.

"Light field" means that area of the intersection of the light beam from the beam-limiting device and any one of the sets of planes parallel to and including the plane of the image receptor. The edge

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of the light field is defined as the locus of points at which the illumination is 25 percent of that at the center of the light field.

"Mammography" means radiography of the breast for the purpose of enabling a physician to determine the presence, size, location and extent of cancerous or potentially cancerous tissue in the breast.

"Mammography phantom" means a phantom specifically designed for image quality evaluation of mammography systems and which may also be used in the process of determining the mean glandular breast dose. It shall be any phantom material that is equivalent to a nominal 4.5-centimeter compressed breast of average density (i.e., 50 percent adipose and 50 percent glandular tissue), and shall contain masses, specks and fibers as specified in Section 360.71(j)(2).

"Mammography System" means an x-ray system that is used to perform mammography.

"Medical radiographer" means a person other than a licensed practitioner, accredited in accordance with the provisions of 32 Ill. Adm. Code 401, or an individual exempt from the provisions of 32 Ill. Adm. Code 401, who performs medical radiation procedures and applies x-radiation, to any part of the human body, for diagnostic purposes while under the supervision of a licensed practitioner.

"Mobile equipment" (see "x-ray equipment").

"Monitor unit" means a unit response from the beam monitoring system from which the absorbed dose can be calculated.

"Moving beam therapy" means radiation therapy in which there is displacement of the useful beam relative to the patient. Moving beam therapy includes arc therapy, skip therapy and rotational beam therapy.

"Multiple scan average dose (MSAD)" means the average dose at the center of a series of scans, specified at the center of the axis of rotation of a computed tomography system.

"Operator" means an individual who applies ionizing radiation for diagnostic or therapeutic purposes.

~~"Personnel monitoring" means the determination of radiation exposure to a person. Devices used for this purpose may include, but are not limited to, film badges, pocket dosimeters, and thermoluminescent dosimeters worn by the individual.~~

"Phototimer" means a method for controlling radiation exposures to image receptors by the amount of radiation which reaches a radiation

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monitoring device(s). The radiation monitoring device(s) is part of an electronic circuit which controls the duration of time the tube is activated (see "Automatic exposure control").

"Physicist" (see "Therapeutic radiological physicist").

"Portable equipment" (see "x-ray equipment").

"Position indicating device" means a device on intraoral dental x-ray equipment used to indicate the beam position and to establish a definite source-skin distance.

"Primary protective barrier" (see "Protective barrier").

"Protective apron" means an apron of radiation absorbing materials, at least 0.25 millimeter lead equivalent, used to reduce exposure from leakage and scatter radiation.

"Protective barrier" means a barrier of radiation absorbing material(s) used to reduce radiation exposure dose. The types of protective barriers are as follows:

"Primary protective barrier" means the material, excluding filters, placed in the useful beam to reduce the radiation exposure dose.

"Secondary protective barrier" means a barrier sufficient to attenuate the leakage and scatter radiation to the required degree.

"Protective glove" means a glove made of radiation absorbing materials, at least 0.25 millimeter lead equivalent, used to reduce exposure dose from leakage and scatter radiation.

"Radiation beam" (see "Beam").

"Radiation therapy simulation system" means a radiographic/fluoroscopic x-ray system used exclusively for localizing the volume to be exposed during radiation therapy and confirming the position and size of the therapeutic irradiation field.

"Radiologist" means a physician or veterinarian who is either: Certified by the American Board of Radiology in diagnostic radiology or general radiology;

Certified by the American Osteopathic Board of Radiology;

Certified by the American Chiropractic Board of Radiology; or

Certified by the American College of Veterinary Radiology; or

Eligible for certification by any College or Board identified above.

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"Reference plane" means a plane which is displaced from and parallel to the tomographic plane.

"Scan" means the complete process of collecting x-ray transmission data for the production of a tomogram. Data can be collected simultaneously during a single scan for the production of one or more tomograms.

"Scan increment" means the amount of relative displacement of the patient support device with respect to the CT x-ray system between successive scans measured along the direction of such displacement.

"Scatter radiation" means radiation that, during passage through matter, has been deviated in direction.

"Secondary protective barrier" (see "Protective barrier").

"Sensitometer" means a device which is used to test the setup and stability of film processing procedures and equipment by providing a standard pattern of light exposure of x-ray film.

"Shadow tray" means a device attached to the radiation head to support auxiliary beam-limiting material.

"Shutter" means an adjustable beam-limiting or attenuating device, usually made of lead, fixed to an x-ray tube housing to intercept or collimate the useful beam (see "Beam-limiting device").

"SID" means source-image receptor distance (see "Source-image receptor distance").

"Source" means the focal spot of the x-ray tube.

"Source-image receptor distance" means the distance from the source to the center of the input surface of the image receptor.

"Source-skin distance (SSD)" means the distance measured along the central ray from the center of the front surface of the x-ray focal spot to the surface of the irradiated object.

"Special purpose x-ray system" means any radiographic x-ray system which, by design, is limited to radiographic examination of a specific anatomical region.

"Spot film" means a radiograph which is made during a fluoroscopic examination to permanently record conditions which exist during that fluoroscopic procedure.

"Stationary beam therapy" means radiation therapy in which there is no

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displacement of the useful beam relative to the patient during irradiation.

"Stationary equipment" (see "x-ray equipment").

"Technique factors" means the electrical potential (kilovolts), current (milliamperes), exposure time parameters (seconds or pulses) or a combination thereof, selectable at the control panel of an x-ray system (see "Control panel").

"Therapeutic Radiological Physicist" means an individual who has the knowledge, training and experience to measure ionizing radiation, evaluate safety techniques, advise regarding radiation protection needs and apply the principles of radiological physics to clinical radiation therapy. To meet these criteria, a therapeutic radiological physicist shall:

Be certified by the American Board of Radiology, the American Board of Medical Physics or the Canadian College of Medical Physics in:

Therapeutic radiological physics; or
Roentgen ray and gamma ray physics; or
X-ray and radium physics; or
Radiological physics; or

Hold a master's degree or doctorate in physics, biophysics, radiological physics or health physics and have completed 1 year of full-time training in radiological physics and also 1 year of full-time work experience under the supervision of a therapeutic radiological physicist at a medical institution. To meet this requirement, the individual shall have performed the tasks specified in Sections 360.120(c), (d) and (e) under the supervision of a therapeutic radiological physicist during the year of work experience.

"Tomogram" means the depiction of the x-ray attenuation properties of a section through the body.

"Tomographic plane" means that geometric plane which is identified as corresponding to the output tomogram.

"Tomographic section" means the volume of an object whose x-ray attenuation properties are imaged in a tomogram.

"Useful beam" (see "Beam").

"X-ray equipment" means an x-ray system, sub-system or component thereof. Types of x-ray equipment are as follows:

"Mobile x-ray equipment" means x-ray equipment mounted on a permanent base with wheels and/or casters for moving while

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completely assembled. Mobile x-ray equipment includes x-ray equipment permanently mounted in vehicles.

"Portable x-ray equipment" means x-ray equipment designed to be hand-carried.

"Stationary x-ray equipment" means x-ray equipment which is installed in a fixed location.

"X-ray field" means, for diagnostic purposes, that area of the intersection of the useful beam and any one of the set of planes parallel to and including the plane of the image receptor. The edge of the x-ray field is defined as the locus of points at which the exposure is 25 percent of that at the center of the x-ray field.

"X-ray system" means an assemblage of components for the controlled production of x-rays. It includes minimally an x-ray high-voltage generator, an x-ray control panel, an x-ray tube housing assembly, a beam-limiting device and the necessary supporting structures. Additional components which function with the system are considered integral parts of the system. X-ray systems include diagnostic systems, therapeutic systems and accelerator systems.

(Source: Amended at 18 Ill. Reg. _____, effective _____)

Section 360.30 General Requirements and Administrative Controls

The requirements in this Section apply to all uses of x-rays in veterinary medicine and to all uses of x-rays in the healing arts including the use of x-rays for both diagnostic and therapeutic purposes. Additional requirements for all diagnostic x-ray systems are in Section 360.40 and specific equipment application classes are contained in Sections 360.41 through 360.100. For therapeutic x-ray systems also see Sections 360.110 and 360.120.

a) Registrant. The registrant shall:

- 1) Direct the operation of the x-ray system(s);
- 2) Register with the Department, in accordance with the provisions of 32 Ill. Adm. Code 320, all x-ray equipment which is used at the facility and all portable or mobile x-ray equipment used by the registrant;
- 3) Submit an application for inspection of radiation machines to the Department in accordance with 32 Ill. Adm. Code 410 and, if the inspection is performed by a qualified nondepartment inspector, submit a copy of the radiation inspection report to the Department;
- 4) Permit operation of the x-ray system(s) only by individuals who are licensed in accordance with State law (see Section 360.10(a)), or who are accredited by the Department pursuant to 32 Ill. Adm. Code 401 or who are exempt from such requirements in

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accordance with the provisions of 32 Ill. Adm. Code 401. Shielding. Each installation shall be provided with such primary barriers and/or secondary barriers as are necessary to assure compliance with the provisions of 32 Ill. Adm. Code 340.100-340.1040 and 340.1050 340.210, 340.270, 340.280 and 340.310.

c) An x-ray system which does not meet the provisions of this Part shall not be operated for diagnostic or therapeutic purposes.

d) If an x-ray system is identified as not being in compliance with the provisions of this Part and if that system is accessible for use, it shall be rendered inoperable (i.e. dismantle the x-ray source from the source support assembly) if so ordered by the Director.

e) Prohibitions
1) Unauthorized Exposure. Individuals shall not be exposed to the useful beam except for healing arts purposes and only when such exposure has been authorized by a licensed practitioner of the healing arts. This provision specifically prohibits deliberate exposure for the following purposes:

A) Exposure of individuals for training, demonstration or other non-healing arts purposes.

B) Exposure of individuals for the purpose of "healing arts screening" (see Section 360.20).

2) Fluoroscopy shall not be used as a substitute for radiography or in lieu of proper anatomical positioning/centering procedures prior to radiographic studies.

3) Fluoroscopic equipment using phosphorescent screens shall not be used. Image intensification shall be utilized on all fluoroscopic equipment.

4) The use of direct exposure x-ray film (without intensifying screens) for routine diagnostic radiological imaging procedures, other than intraoral dental radiography and therapeutic portal imaging, is prohibited.

AGENCY NOTE: Therapeutic portal imaging is a technique used in radiation therapy to verify correct alignment of therapy beams with the patient's anatomy.

5) The use of photofluorographic systems is prohibited.

AGENCY NOTE: Photofluorography is frequently called mass miniature radiography. In this technique the image of a fluorescent screen is recorded on film by means of a camera.

f) Personnel Individual Monitoring and Reporting Requirements. All persons who are associated with the operation of an x-ray system are subject to the radiation dose standards, requirements for the determination of the doses, requirements for personnel individual monitoring and requirements for reporting of radiation doses which are contained in 32 Ill. Adm. Code 340.

g) The registrant shall comply with the requirements of the Department's rules entitled, Notices, Instructions and Reports to Workers; Inspections, 32 Ill. Adm. Code 400.

h) Records and Associated Information. The registrant shall maintain at the facility, for a period of at least one inspection cycle (see 32

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Ill. Adm. Code 410.60(d)), records showing the receipt, transfer, storage and disposal of all sources of radiation in accordance with the provisions of 32 Ill. Adm. Code 310 and 320.

i) Staff Qualifications. The registrant shall maintain at the facility, for review by the Department, current certificates of accreditation (clear, legible copies are acceptable), issued by the Department in accordance with the provisions of 32 Ill. Adm. Code 401, for all individuals who are required to be so accredited.

j) Radiation Safety Procedures. The registrant shall provide to each individual who operates x-ray equipment at the facility written operating and safety procedures. These procedures shall include restrictions required for the safe operation of each radiation machine and shall include the topics listed in the radiation safety program of subsection (k) below.

k) Radiation Safety Program. The registrant shall provide for initial and annual in-service training in radiation safety for individuals (excluding licensed practitioners) that apply ionizing radiation at the facility, to ensure their awareness of the registrant's radiation safety practices and policies. The in-service training shall include the following topics:

- 1) Operating and emergency procedures for the radiation machine(s);
- 2) Use of personnel and patient protective devices;
- 3) Procedures to minimize patient and ~~personnel~~ **---exposure** occupational doses, including procedures for selecting personnel to support patients or film, as required by Section 360.40;
- 4) Use of ~~personnel~~ individual monitoring devices (if such devices are used at the facility);
- 5) Film processing procedures; and
- 6) Prohibited uses of x-ray machines, as described in subsection (e), above.

1) Operator Training. Individuals who operate radiation machines shall be instructed in and able to demonstrate competence with the registrant's operating and safety procedures.

(Source: Amended at 18 Ill. Reg. _____, effective _____)

Section 360.40 General Equipment and Operation Requirements for Diagnostic X-Ray Systems

The requirements of this Section apply to all diagnostic x-ray systems. Additional requirements for specific equipment application classes are in Sections 360.41 through 360.100.

a) Half-Value Layer

1) The half-value layer of the useful beam for a given x-ray tube potential shall not be less than the values shown in Section 360. Table B.

2) For capacitor energy storage equipment, compliance with the requirements of this subsection shall be determined with the

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maximum quantity of charge per exposure. This will be deemed to have been met if an mAs of 10 or greater has been used.

b) Beam-On Indicators

1) The control panel shall include a device (usually a milliammeter or labeled indicator lamp) which will give positive indication of the production of x-rays whenever the x-ray tube is energized.

2) Where two or more radiographic tubes are controlled by one exposure switch, the tube or tubes which have been selected shall be clearly indicated prior to initiation of the exposure. This indication shall be both on the x-ray control panel and at or near the tube housing assembly which has been selected.

c) Mechanical Support of Tube Head. The tube housing assembly supports shall be adjusted such that the tube housing assembly will remain stable during an exposure unless tube housing movement is a designed function of the x-ray system. The tube housing assembly supports shall not be hand-held unless the manufacturer has specifically designed the system to be operated while hand-held.

d) Diagnostic Source Assembly Leakage Radiation Limits. The leakage radiation measured at a distance of 1 meter from the source shall not exceed 25.8 microC/kg(100mR) in 1 hour when the tube is operated at its leakage technique factors.

e) Radiation From Capacitor Energy Storage X-ray Equipment in Standby Status. Radiation emitted from the x-ray tube when the exposure switch or timer is not activated shall not exceed a rate of 0.516 microC/kg (2mR) per hour at 5 centimeters from any accessible surface of the diagnostic source assembly, with the beam-limiting device fully open.

f) Technique Indicators

1) The technique factors to be used during an exposure shall be indicated at the control panel before the exposure begins. If automatic exposure controls are used, the technique factors which are set prior to the exposure shall be indicated at the control panel.

2) The requirement of subsection (1) above may be met by permanent markings on equipment having fixed technique factors. Indication of technique factors shall be visible from the operator's position except in the case of spot films.

3) The indicated technique factors of exposure time and kilovolts peak (kVp) shall correspond to the actual exposure factors within ten percent of the measured values.

g) Reproducibility of Exposures

1) For any specific combination of selected technique factors utilized, the coefficient of variation of radiation exposures shall not exceed 0.05 for any specific combination of selected technique factors. It will not be necessary to calculate the coefficient of variation if for four consecutive measurements the value of the average exposure (Eavg) is greater than or equal to ten times the maximum exposure (Emax) minus the minimum exposure (Emin). This requirement is mathematically represented by the

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following:

$$\text{Eavg} \geq 10(\text{Emax} - \text{Emin})$$

- 2) For systems using automatic exposure control (AEC), compliance measurements shall be performed with the system operating in the AEC mode. Attenuating material shall be placed in the beam to provide exposure times in the range of those used clinically.

AGENCY NOTE: The intent of this subsection is to require testing of the system in a manner that is clinically relevant. Reproducibility of exposures should be measured at technique factors that are commonly used and are subject to variation. For AEC systems, commonly used settings in combination with an appropriate thickness of attenuating material should be used to provide exposure times in the clinical range.

h) Patient or Film Support

- 1) When a patient or film must be provided with auxiliary support during a radiation exposure:

A) No person shall be used routinely to hold film or patients; and

B) Unless the procedure precludes their use, mechanical holding devices shall be used to restrain patients. For example, mechanical holding devices could not be used if the devices would preclude clear visualization of the tissue being examined.

- 2) When a patient or film must be held by an individual, written safety procedures, as required by Section 360.30(j), shall indicate the criteria for selecting a holder and the procedure the holder shall follow.

AGENCY NOTE: The radiation dose received by radiation workers, patients and the general public can be reduced if mechanical patient and film support devices are used for radiographic and fluoroscopic procedures. In the event that an individual must be used in lieu of mechanical patient or film support devices to hold patients or films, every effort should be made to limit the individual's exposure to radiation dose. This can be accomplished by not assigning to a single individual the task of supporting patients and films during radiographic and fluoroscopic examinations. Rather, a number of individuals may be rotated through the assignment, thereby reducing the radiation exposure dose to one individual.

i) Personnel Protection

- 1) Except for patients who cannot be moved out of the room, only the individuals required for the medical procedure or training shall be in the room during the radiographic/fluoroscopic exposure.

2) Individuals who must be in the room with the patient being radiographed or fluoroscoped shall be protected by 0.25 millimeter lead equivalent apparel or device or shall be positioned at a distance such that the individual is does not

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exposed-to receive a radiation dose in excess of the limits specified at in 32 Ill. Adm. Code 340.1050 340.30.

j) Technique Guides

- 1) In the vicinity of each radiographic x-ray system's control panel, a technique guide shall be provided which specifies for routine examinations performed with that system, the following information:

A) Patient's anatomical size versus technique factors to be utilized;

B) Type and size of the film or screen-film combination to be used; and

C) SID to be used.

- 2) For automatic exposure control (AEC) systems (i.e., systems employing photo-multiplier tubes or ionization chambers to terminate the x-ray exposure) with selectable exposure detectors and density settings, the technique guide shall also specify the appropriate exposure detector(s) and density setting to be utilized for each radiographic examination listed.

- 3) For AEC systems, the technique guide shall specify the requirements of subsections (1)(A) through (C) above to be followed if operated in a non-automatic mode.

AGENCY NOTE: The Department recognizes that alternate means may be available at the control panel to indicate technique factors for computerized imaging systems.

- k) Patient Exposure Dose Criteria. Procedures and auxiliary equipment designed to minimize patient and personnel exposure occupational dose commensurate with needed diagnostic information shall be used.

AGENCY NOTE: It is the intent of this subsection to provide for the optimum optical density, resolution and contrast on the film while minimizing patient exposure dose. X-ray films, intensifying screens and other image recording devices should be as sensitive as is consistent with the requirements of the examination.

- 1) X-ray Film Processing Systems. The darkroom safe light illumination shall be adequate for the film speed(s) and the darkroom operating procedures used to prevent fogging of unprocessed film. The following additional requirements apply to film processing systems:

1) Manual film processing systems shall be monitored by the registrant to assure:

A) The use of a dedicated darkroom timer with an adjustable preset function. The timer shall be used to adjust film processing time according to solution temperature.

B) The use of a dedicated darkroom thermometer. The thermometer shall be used to adjust the film processing time according to solution temperature.

C) The use of a film processing guide. The guide shall contain, at a minimum, information regarding time(s) and temperature(s) (as recommended by the processing chemical manufacturer) used by the registrant to develop radiographs.

D) The frequency at which film processing chemicals are changed

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is appropriate for the conditions of use.

- 2) Automated film processing shall be monitored by the registrant to assure that:

A) The temperature of film processing chemicals is appropriate for the type of film(s) being processed at the film transport speed selected.

B) The film processing chemicals used and their replenishing rate (if applicable) are appropriate for the film transport speed selected.

m) Gonadal Shielding. Except for cases in which it would interfere with the diagnostic procedure, gonadal shielding of not less than 0.5 millimeter of lead equivalent shall be used for patients (who have not passed the reproductive age) during those radiographic procedures in which the gonads are in the useful beam.

AGENCY NOTE: Protection of the embryo or fetus from radiation exposure dose during radiological examination or treatment of a woman of childbearing age (potentially pregnant) should be given special consideration.

(Source: Amended at 18 Ill. Reg. _____, effective _____)

Section 360.50 Fluoroscopic Systems

In addition to the provisions of Sections 360.10, 360.30, 360.40 and 360.41, the requirements of this Section apply to x-ray equipment and associated facilities used for fluoroscopy.

a) Beam limitation. The x-ray field shall be limited by stepless adjustable shutters. In addition:

1) The minimum field size at the greatest SID shall be no greater than 5 centimeters by 5 centimeters.

2) The mechanism(s) (manual/automatic mode selector(s)) provided for activating and positioning the beam-limiting shutters shall function properly. This requirement applies to shutters used in fluoroscopic procedures or spot filming procedures or both fluoroscopic and spot filming procedures.

3) Neither the length nor the width of the x-ray field in the plane of the image receptor shall exceed that of the visible area of the image receptor by more than three percent of the SID. The sum of the excess length and the excess width shall be no greater than four percent of the SID. This requirement applies to field sizes for fluoroscopic procedures or spot filming procedures or both fluoroscopic and spot filming procedures.

4) For fluoroscopic equipment with only a manual mode of beam limitation, the x-ray field produced shall be limited to the area of the spot film cassette at 40.6 centimeters (16 inches) above the tabletop. Additionally, during fluoroscopy, the operator shall restrict the beam ~~shall be restricted~~ to the area of the input phosphor.

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- 5) Spot film devices shall meet the following additional requirements:

A) Means shall be provided between the source and the patient for adjustment of the x-ray field size in the plane of the image receptor to the size which has been selected on the spot film selector. Such adjustment shall be accomplished automatically except when the x-ray field size in the plane of the image receptor is smaller than that selected;

B) The center of the x-ray field in the plane of the image receptor shall be aligned with the center of the selected portion of the film to within two percent of the SID; and

C) If the angle between the plane of the image receptor and beam axis is variable, a device shall be provided to visually indicate when the axis of the x-ray beam is perpendicular to the plane of the image receptor.

6) The beam limitation requirements of this subsection shall not apply to fluoroscopic systems specifically designed for examination of extremities only and meeting the requirement of subsection (1) below.

b) Fluoroscopic Timer. A manual reset, cumulative timing device shall be used which will either indicate elapsed on-time by an audible signal or turn off the system when the total exposure time exceeds a predetermined limit not exceeding 5 minutes in one or a series of exposures.

c) Primary Barrier/Interlock. These devices shall be provided and shall function so that:

1) The entire cross section of the useful beam is intercepted by the primary protective barrier of the fluoroscopic image assembly at any SID; and

2) The fluoroscopic tube is interlocked to prevent the unit from producing x-rays unless the primary barrier is in position to intercept the useful beam, as specified in subsection(1) above, at all times.

d) Source-Skin Distance. The SSD shall not be less than:

1) 38 centimeters (15 inches) on all stationary fluoroscopes;

2) 20 centimeters (8 inches) on all mobile fluoroscopes; and

3) 9.5 centimeters (4 inches) for fluoroscopes specifically designed for examination of extremities only and meeting the requirements of subsection (1) below.

e) Indication of Potential and Current. During fluoroscopy and recording of fluoroscopic images, the kV and the mA shall be continuously indicated at the control panel and/or the operator's position.

f) Activation of the Fluoroscopic Tube. X-ray production in the fluoroscopic mode shall be controlled by a device which requires continuous pressure by the operator for the entire time of any exposure. When recording serial fluoroscopic images, the operator shall be able to terminate the x-ray exposure(s) at any time, but means may be provided to permit completion of any single exposure of the series in process.

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9) Entrance Exposure Requirements

- 1) Maximum Exposure Rate. Fluoroscopic systems shall not be operable at any combination of tube potential and current which will result in an exposure rate in excess of 2.58 mC/kg(10 R) per minute at the point where the center of the useful beam enters the patient, except:

A) During recording of fluoroscopic images; or

B) When an optional high level control is activated (See subsection (2) below).

- 2) When a high level control is activated, the equipment shall not be operable at any combination of tube potential and current which will result in an exposure rate in excess of 5.15 mC/kg(20 R) per minute at the point where the center of the useful beam enters the patient. In addition, the following requirements apply to high level controls:

A) Separate means of activation of high level controls shall be required. The high level control shall only be operable when continuous manual activation is provided by the operator.

B) A continuous signal audible to the operator shall indicate that the high level control is being employed.

- 3) Compliance with the requirements of subsections (1) and (2) above shall be determined using technique factors that produce the maximum exposure rate. For systems employing automatic exposure rate control, material having an equivalency of at least 3 millimeters of lead shall be placed in the primary beam between the image receptor and the radiation measuring device. The lead or equivalent material shall be positioned to ensure that the entire primary beam is blocked.

AGENCY NOTE: Many fluoroscopic systems do not yield their maximum exposure rate at the maximum tube potential or tube current. The exposure rate should be checked at various kVp and mA settings to establish the maximum exposure rate for the system.

- 4) Fluoroscopic systems shall not be operable at any combination of tube potential and current that will result in an exposure rate in excess of 1.29 mC/kg(5 R) per minute at the point where the center of the useful beam enters the patient, when measured under the following conditions:

A) Movable grids and compression devices shall be removed from the useful beam during the measurement.

B) For systems without automatic exposure rate control, the measurement shall be performed using technique factors clinically used for a standard adult patient thickness of 23 centimeters.

AGENCY NOTE: An attenuation block or other suitable material should be placed in the beam to protect the imaging system.

- C) For systems with automatic exposure rate control, the

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measurement shall be performed with an attenuation block or other material simulating the standard adult patient thickness of 23 centimeters, in the beam between the radiation measuring device and the image receptor.

AGENCY NOTE: The Department recommends additional measurements be made of the entrance exposure rate for fluoroscopic systems capable of recording fluoroscopic images, and the entrance exposure for spot film techniques for fluoroscopic systems with that modality. In either case, measurements should be made under the conditions specified in subsection (B) above.

- D) The requirements of subsection (4) shall not apply to fluoroscopes specifically designed for examination of extremities only and meeting the requirements of subsection (1) below.

- 5) Measurements performed pursuant to the requirements of subsections (1) through (4) above shall meet the following additional requirements:

A) If the source is below the table, the exposure rate shall be determined for the center of the useful beam 1 centimeter above the tabletop or cradle.

B) If the source is above the table, the exposure rate shall be determined at 30 centimeters (12 inches) above the tabletop with the end of the beam-limiting device or spacer positioned as closely as possible to the point of measurement.

C) For a fixed SID C-arm type of fluoroscope, the exposure rate shall be determined 30 centimeters (12 inches) from the input surface of the fluoroscopic imaging assembly.

D) For a variable SID C-arm type of fluoroscope, the exposure rate shall be determined 30 centimeters (12 inches) from the input surface of the fluoroscopic imaging assembly with the end of the beam-limiting device or spacer positioned as close as possible to the point of measurement.

E) For a lateral type fluoroscope, the exposure rate shall be determined on the central axis of the primary beam at a point 15 centimeters (6 inches) from the centerline of the x-ray table and in the direction of the x-ray source with the end of the beam-limiting device or spacer positioned as closely as possible to the point of measurement. If the tabletop is movable, it shall be positioned as closely as possible to the lateral x-ray source, with the end of the beam-limiting device or spacer no closer than 15 centimeters to the centerline of the x-ray table.

AGENCY NOTE: A lateral type fluoroscope is a fluoroscope that cannot be rotated so that the source or the fluoroscopic imaging assembly can be positioned below the fluoroscopic table or cradle.

- F) For a fluoroscopic system specifically designed for

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examination of extremities only, the exposure rate shall be determined for the minimum source-skin distance.

- 6) The measurements required by subsection (9) above shall be performed when the system is inspected as specified in 32 Ill. Adm. Code 410 as well as after any maintenance of the system which might affect the exposure rate.
- 7) The results of the measurements required by subsections (1), (2) and (4) above shall be posted or available at the control panel. The measurement results shall be stated in milliroentgens per kilogram (roentgens) per minute or microcoulombs per kilogram (milliroentgens) per second and shall include the technique factors used in determining such results. The name of the individual performing the measurements and the date the measurements were performed shall be included in the results.

AGENCY NOTE: The resolution and efficiency of the fluoroscopic imaging system should be evaluated periodically, and whenever deterioration in the imaging system is suspected and when the measured exposure rate exceeds the standards of this Section.

h) Barrier Transmitted Radiation Rate Limits

- 1) The exposure rate due to transmission through the primary protective barrier shall not exceed 0.516 microC/kg(2mR) per hour at 10 centimeters from any accessible surface of the fluoroscopic imaging assembly beyond the plane of the image receptor ~~for each roentgen~~ per 258 microC/kg (1R) per minute of entrance exposure rate.

2) Measuring Compliance of Barrier Transmission

- A) The exposure rate due to transmission through the primary protective barrier shall be determined by measurements averaged over an area of 100 square centimeters with no linear dimension greater than 20 centimeters.
- B) If the source is below the tabletop, the exposure rate shall be determined with the input surface of the fluoroscopic imaging assembly positioned 30 centimeters above the tabletop.
- C) If the source is above the tabletop and the SID is variable, the exposure rate shall be determined with the end of the beam-limiting device or spacer as close to the tabletop as it can be placed, provided that it shall not be closer than 30 centimeters.
- D) Movable grids and compression devices shall be removed from the useful beam during the measurement.
- E) An attenuation block shall be positioned in the useful beam 10 centimeters from the point of measurement of entrance exposure rate and between this point and the input surface of the fluoroscopic imaging assembly.
- I) Staff and Ancillary Personnel Protection. The operator, assistants and observers allowed in the examining room shall be protected from scatter radiation by protective aprons of not less than 0.25 millimeter lead equivalent or whole body protective barriers or shall

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be positioned at a sufficient distance to ensure that the individual does not receive a radiation dose in excess of the limits specified in 32 Ill. Adm. Code 340.310.

j) Control of Scattered Radiation

- 1) For fluoroscopic systems utilizing an x-ray tube that is mounted below the table, the table shall be provided with shielding (bucky slot cover) equivalent to 0.25 millimeter lead equivalent to attenuate scattered radiation emanating from below the table.
- 2) A shield of at least 0.25 millimeter lead equivalent, such as overlapping protective drapes or hinged or sliding panels, shall be provided and used to intercept scatter radiation which would otherwise reach the operator and others near the machine. This shielding shall not be a substitute for the wearing of a protective apron (0.25 millimeter lead equivalent) for protection against scattered radiation.
- 3) Where sterile fields or special procedures prohibit the use of protective barriers or drapes, subsection (2) above shall not apply.

k) Additional Requirements for Stationary Fluoroscopic Systems Used for Cardiac Catheterization Procedures

- 1) Protective barriers shall be available for use by individuals whose presence is required in the room during activation of the x-ray tube(s). If a protective barrier includes or consists of a transparent viewing panel, the viewing panel shall afford protection of not less than 0.5 millimeter of lead equivalent.
- 2) Protective aprons of not less than 0.25 millimeter of lead equivalent shall be worn in the fluoroscopy room by all individuals (except the patient).

AGENCY NOTE: Because modern equipment allows great flexibility in the direction of the beam, individuals in the room should step back from the x-ray system and behind protective barriers during activation of the x-ray tube(s).

l) Additional Requirements for Fluoroscopic Systems Specifically Designed for Examination of Extremities Only

- 1) The radiation safety procedures required pursuant to Section 360.30(j) shall include the following:
 - A) A warning concerning the potential for, and the hazards of, increased patient x-ray-exposure radiation dose associated with x-ray systems employing short source-skin distances;
 - B) Procedures for obtaining imaging magnification with minimum patient exposure dose, including imaging systems or screen-film combinations;
 - C) Technique factors for specific examinations for which the system is designed;
 - D) Radiation exposure data, including skin entrance exposure for each set of technique factors used.
- 2) The x-ray system shall be clearly labeled as follows: "For Examination of Extremities Only."
- 3) The source-skin distance shall be limited as specified in

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subsection (d) above.

- 4) Fluoroscopic systems specifically designed for examination of extremities only shall be used solely for examination of extremities.

m) Radiation Therapy Simulation Systems. Radiation therapy simulation systems shall be exempt from the requirements of subsections (a), (b), (c), (g) and (h) above provided that:

- 1) Such systems are designed and used in such a manner that no individual other than the patient is in the x-ray room during periods of time when the system is producing x-rays; and
- 2) Such systems that do not meet the requirements of subsection (b) above are provided with a means of indicating the cumulative time that an individual patient has been exposed to x-rays. Procedures shall require in such cases that the timer be reset between examinations.

n) Operator Restrictions. No person shall intentionally administer radiation to a human being with a fluoroscopic radiation machine unless such person is licensed to practice a treatment of human ailments under the Medical Practice Act of 1987, the Illinois Dental Practice Act or the Podiatric Medical Practice Act of 1987, except:

- 1) An accredited medical radiographer may operate a fluoroscope for static functions when interpretation of the results is not required and only under the direct supervision of a licensed practitioner who is within visual contact; or
- 2) An accredited medical radiographer or radiation therapist may operate a fluoroscope for radiation therapy simulation procedures under the direct supervision of a licensed practitioner.

(Source: Amended at 18 Ill. Reg. _____, effective _____)

Section 360.90 Dental Radiographic Systems

In addition to the provisions of Sections 360.10, 360.30 and 360.40, the requirements of this Section apply to x-ray equipment and associated facilities used for dental radiography. Refer to Section 360.50 for requirements for dental fluoroscopic systems.

a) General Requirements

- 1) Timers. Means shall be provided to terminate the exposure at a preset time interval, preset product of current and time, preset number of pulses or preset radiation exposure to the image receptor. Also, it shall not be possible to make an exposure when the timer is set to a zero or off position if either position is provided.
- 2) X-Ray Control. An x-ray control shall be incorporated into each x-ray system such that an exposure can be terminated by the operator at any time except for exposures of 0.5 second or less.
- 3) Exposure Switch Arrangement. The exposure switch shall be a dead-man switch and shall be arranged so that the operator can be

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behind a protective barrier or at least 1.83 meters (6 feet) from the patient and the tube housing during an exposure.

b) Additional Requirements for Dental Intraoral Systems

- 1) Source-Skin Distance (SSD). X-ray systems designed for use with an intraoral image receptor shall be provided with means to limit the SSD to not less than:

A) 18 centimeters if operable above 50 kVp; or

B) 10 centimeters if operable at 50 kVp and below.

- 2) Beam Limitation. Radiographic systems designed for use with an intraoral image receptor shall be provided with means to limit the x-ray beam such that the x-ray field, at the minimum SSD, shall be containable in a circle having a diameter of no more than 7 centimeters.

- 3) Dental Radiographic Exposure Limits (Single Film). The entrance exposure to an adult patient for a routine intraoral bitewing exam shall not exceed the limit specified for the kVp used in the table below. Exposures are specified as free-in-air exposures without backscatter.

Tube Potential (kVp)	"D" Speed Film (microC/kg) (mR)	"E" Speed Film (microC/kg) (mR)
50	142 -	550
55	134 -	520
60	121 -	470
65	107 -	415
70	93 -	360
75	80 -	310
80	67 -	260
85	61 -	235
90	54 -	210
95	50 -	195
100	46 -	180
		16 -

Linear extrapolation or interpolation shall be used for an x-ray tube potential (kVp) not listed in the table.

AGENCY NOTE: The exposures specified in the above table were empirically determined by a panel of dentists in a U.S. FDA study.

- 4) The kVp shall be measured at the time the entrance exposure is determined pursuant to subsection (3) above to determine the correct exposure limit to be applied.

c) Beam Limitation Requirements for Dental Extraoral Systems

- 1) Dental rotational panoramic systems shall be provided with means to limit the x-ray beam to the imaging slit in the transverse axis and shall not exceed a total of 13 millimeters (0.5 inch) larger than the imaging slit in the vertical axis.

- 2) All other dental extraoral radiographic systems (e.g., cephalometric) shall be provided with means to both size and align the x-ray field so that it does not extend beyond any edge

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d) of the image receptor by more than two percent of the SID.

- 1) Patient and film holding devices shall be used when the techniques permit;
- 2) The tube housing and the position indicating device shall not be hand-held during an exposure;
- 3) The x-ray system shall be operated in such a manner that the useful beam at the patient's skin does not exceed the criteria specified in subsection (b)(2) above;
- 4) Personnel Protection. The operator shall be behind a protective barrier or be provided with a protective apron of not less than 0.25 millimeter lead equivalent during an exposure. Individuals whose presence is required in the room during an x-ray examination shall be protected from leakage and scatter radiation by protective aprons of not less than 0.25 millimeter lead equivalent or a protective barrier or shall be positioned at a sufficient distance to ensure that the individual does not receive a radiation dose in excess of the limits specified in 32 Ill. Adm. Code 340.310.

AGENCY NOTE: Strict adherence to radiation protection practices should minimize personnel-radiation--exposure occupational dose and may eliminate the need for personnel-radiation individual monitoring. The requirements for personnel-radiation individual monitoring are specified in 32 Ill. Adm. Code 340.520.

(Source: Amended at 18 Ill. Reg. _____, effective _____)

Section 360.100 Veterinary Radiographic Systems

In addition to the provisions of Sections 360.10, 360.30 and 360.40, the requirements of this Section apply to x-ray equipment and associated facilities used for radiography with veterinary systems.

- a) Beam Limitation. The useful beam shall be limited to the area of clinical interest. The size of the image receptor used for each radiographic projection shall be consistent with the objectives of the examination.

- 1) Limitation Criteria. Means shall be provided to limit the x-ray field in the plane of the image receptor so that the field does not exceed each dimension of the image receptor by more than two percent of the SID when the axis of the x-ray beam is perpendicular to the plane of the image receptor.

- 2) Means shall be provided to align the center of the x-ray field with the center of the image receptor to within two percent of the SID.

- 3) The requirements of subsection(1) above may be met with:

- A) An adjustable collimator with a field defining light, meeting the requirements specified in Section 360.60(a)(1); or

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- B) An assortment of removable, fixed-aperture, beam-limiting devices sufficient to meet the requirement for each combination of image receptor size and SID for which the unit is used, with each such device having permanent, clearly legible markings in centimeters and/or inches, to indicate the image receptor size and SID for which it is designed; or
- C) A beam-limiting device having multiple fixed apertures sufficient to meet the requirement for each combination of image receptor size and SID for which the unit is used. Permanent, clearly legible markings, in centimeters and/or inches, shall indicate the image receptor size and SID for which each aperture is designed and shall indicate which aperture is in position for use.

4) SID Indication

- A) Means shall be provided to indicate the SID.
- B) SIDs shall be indicated in centimeters and/or inches and the measured SID shall correspond to the indicated value to within two percent.
- b) Exposure Switch Arrangement. The exposure control switch shall be arranged so the operator can be at least 1.83 meters (6 feet) from the animal, the x-ray tube and the useful beam.
- c) Radiation Exposure Control Devices
 - 1) Means shall be provided to terminate the exposure at a preset time interval, preset product of current and time, preset number of pulses or preset radiation exposure to the image receptor. Also, it shall not be possible to make an exposure when the timer is set to a zero or off position if either position is provided.
 - 2) The exposure switch shall be a dead-man switch.
- d) Veterinary fluoroscopic, computed tomography and therapy systems shall meet the requirements specified in Sections 360.50, 360.75, 360.110 and 360.120, except that the requirements pertaining to aural and communication specified in Sections 360.75(b)(2), 360.110(a)(8) and (e)(5) and 360.120(a)(6) and (g)(1)(H), need not be satisfied unless a human is used to hold the animal.
- e) Additional Requirements for Veterinary X-Ray Systems
 - 1) All individuals whose presence is required during an x-ray examination shall be protected from scatter radiation by protective aprons or gowns of not less than 0.25 millimeter lead equivalent or whole body protective barriers.
 - 2) All exams and retakes shall be ordered by the veterinarian.
 - 3) Unless required to restrain an animal, the operator shall stand at least 1.83 meters (6 feet) away from the useful beam and the animal during radiographic exposures.
 - 4) No individual, other than the operator, shall be in the x-ray room or area while exposures are being made unless such individual's assistance is required.
 - 5) When an animal must be held in position during radiography, mechanical supporting or restraining devices shall be used when

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technique permits.

- 6) When a person is required to hold an animal during a radiographic procedure, the individual shall be protected with appropriate shielding devices, such as protective gloves and apron, and the person shall be so positioned that no part of his/her body except hands and arms will be struck by the useful beam.

AGENCY NOTE: Veterinarians should review 32 Ill. Adm. Code 340.340.520 to and determine if individuals who hold animals will receive--a radiation-dose-that-would-be-sufficient-to-trigger-the personnel-monitoring--requirements--of--that--part need to use individual monitoring devices.

(Source: Amended at 18 Ill. Reg. _____, effective _____)

Section 360.110 Therapy Systems Operating Below 1 MeV

In addition to the provisions of Sections 360.10 through 360.30, the requirements of this Section apply to x-ray therapy systems and associated facilities operating at energies less than 1 MeV.

a) Facility Design

- 1) A therapeutic radiological physicist shall be consulted in the design of an x-ray therapy installation.
- 2) Shielding requirements
 - A) Each x-ray therapy installation shall be provided with such primary and secondary barriers as are necessary to assure compliance with 32 Ill. Adm. Code 340.16167-340.1640-and 340.1650.

- B) For all x-ray therapy systems capable of operating above 150 kVp installed after October 15, 1993, facility design information shall be submitted to the Department for review prior to installation of the x-ray therapy system. Information submitted to the Department shall include, but need not be limited to, the following:
 - i) Name and address of the planned installation.
 - ii) Name, address and telephone number of the therapeutic radiological physicist who was consulted in the design of the installation.
 - iii) A scale drawing that includes the location of the therapy system, control panel and doors to the room.
 - iv) The structural composition and thickness of all walls, doors, partitions, floor and ceiling of the installation.
 - v) The occupancy of areas adjacent to the installation.
 - vi) Calculations that demonstrate the adequacy of the amount of shielding specified for each primary and secondary protective barrier.
 - vii) Projected weekly dose rates in areas adjacent to the installation.

- 3) Interlock. X-ray therapy systems operating at greater than 150 kVp shall have an interlock installed on each door of the therapy room. The interlock shall be wired into the electrical circuit in such a manner that when the door is opened, for any reason, the generation of x-rays will automatically be terminated and irradiation can be resumed only by manually resetting the controls on the control panel after the door is closed.
- 4) Doors. The doors to the therapy room shall be designed and installed to allow opening from the inside at all times and shall be capable of being opened manually.
- 5) Warning Lights. X-ray therapy systems operating above 150 kVp, and all therapy rooms to which access is possible through more than one entrance shall be provided with warning lights in a readily observable position near the outside of all access doors. The warning lights shall indicate when the useful beam is on.
- 6) Operator and control position
 - A) X-ray Therapy Systems Operating at 150 kVp and Below. The control panel and operator shall be located either outside the therapy room or behind a protective barrier within the room.
 - B) X-ray Therapy Systems Operating Above 150 kVp. The control panel and operator shall be located outside the therapy room.
- 7) Viewing System. Windows, mirrors, closed-circuit television or an equivalent system shall be provided to permit continuous visual observation of the patient during irradiation and shall be located so that the operator can observe the patient from the control panel.

AGENCY NOTE: When the primary viewing system is electronic, a back-up system should be available for use in the event of failure of the primary system in order to ensure compliance with the requirements of subsection (e)(5) below.

- 8) Communications. The facility design shall permit two-way aural communications between the patient and the operator at the control panel.
- 9) ~~Caution-signs~~ Signs required by 32 Ill. Adm. Code 340.26360.340.920 shall be posted in the facility.

- b) Equipment Requirements
- 1) Leakage Radiation. When the tube is operated at its maximum rated continuous current for the maximum rated tube potential, the leakage radiation shall not exceed the value specified in the table below at the distance specified in the table for the classification of that x-ray system. Radiation measurements shall be averaged over an area up to, but not exceeding, 100 square centimeters.

X-Ray System	Leakage Limit	Measurement Location
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Contact Therapy	25.8 microC/kg (0.1 R) per hour	5 centimeters from the tube housing
0 - 499 kVp	258 microC/kg (1 R) per hour	1 meter from the source
500 kVp - 999 kVp	0.1 percent of useful beam or 258 microC/kg (1 R) per hour, whichever is greater	1 meter from the source

2) Beam-Limiting Devices

- A) Permanent fixed diaphragms or cones used for limiting the useful beam shall provide the same or a higher degree of protection as required for the tube housing assembly.
 - B) Removable beam-limiting devices shall, for the portion of the useful beam to be blocked by these devices, transmit not more than one percent of the useful beam at the maximum kilovoltage and maximum treatment filter. This requirement does not apply to auxiliary blocks or materials placed in the useful beam to shape the useful beam to the individual patient.
 - C) Adjustable beam-limiting devices installed after October 15, 1993 shall meet the requirements of subsection (2)(B) above.
 - D) Adjustable beam-limiting devices installed on or before October 15, 1993 shall, for the portion of the x-ray beam to be blocked by these devices, transmit not more than five percent of the useful beam at the maximum kilovoltage and maximum treatment filter.
- 3) Filter System. The filter system shall be designed so that:
- A) The filters are securely positioned and will not become dislodged when the machine is positioned at any possible orientation;
 - B) The radiation dose at one meter from the filter insertion slot opening does not exceed 258 mC/kg (1 R) per hour when the machine is operated at its maximum current and maximum tube potential;
 - C) Each filter is labeled with its composition and thickness (for wedge filters, the wedge angle and maximum design field size shall appear on the wedge or wedge tray);
 - D) If the x-ray therapy system uses changeable filters, there is a filter indication system which permits recognition of any added filter in place and indicates from the control panel the presence of a particular filter or absence of any filter; and

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- E) For x-ray therapy systems installed after October 15, 1993, an interlock prevents irradiation if the selected filter is not installed.
- 4) Tube/Aperture Alignment. The x-ray tube shall be mounted so that it cannot turn or slide with respect to the housing aperture.
- 5) Tube Housing Stability. The tube housing shall remain stable during treatment unless tube housing movement is a designed function of the system.
- 6) Source-Skin Distance (SSD) Indication
 - A) Means shall be provided to indicate the SSD.
 - B) The SSD shall be indicated in centimeters and/or inches and the measured SSD shall correspond to the indicated value to within 0.5 percent.
- 7) Timer. A timer, which has a display at the control panel, shall be provided and shall meet the following requirements:
 - A) The timer shall be activated with the production of radiation;
 - B) For systems equipped with a shutter mechanism to control irradiation, the timer shall be activated when the shutter is opened;
 - C) The timer shall terminate irradiation when a preselected time has elapsed;
 - D) The timer shall permit presetting and determination of exposure times at least as short as 1 second; and
 - E) The timer shall not permit an exposure if the operator has not selected a time for the exposure.

AGENCY NOTE: The control panel should be equipped with a count-up timer to serve as a back-up to the control timer.
- 8) Control Panel Functions. The control panel, in addition to the displays required in other provisions of this Section, shall have:
 - A) An indication of whether x-rays are being produced;
 - B) A means for indicating x-ray tube potential and current; and
 - C) A means for terminating an exposure at any time.
- 9) Shutters. Equipment that is provided with shutters shall meet the following requirements:
 - A) The shutters shall have a lead equivalency not less than that of the tube housing assembly;
 - B) The shutter shall be controlled electrically by the operator at the control panel; and
 - C) An indication of shutter position shall appear at the control panel.
- 10) Multiple Tubes. Control panels capable of energizing more than one x-ray tube shall meet the following requirements:
 - A) It shall be possible to energize only one x-ray tube at any time;
 - B) There shall be an indication at the control panel identifying which x-ray tube is energized; and
 - C) There shall be an indication at the tube housing assembly

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when that tube is energized.

- 11) Low-Filtration X-Ray Tubes. Each x-ray therapy system equipped with a beryllium window shall be clearly labeled as such upon the tube housing assembly and at the control panel.
- c) Radiation Protection Survey. A radiation protection survey shall be performed by a therapeutic radiological physicist on each x-ray therapy system. The registrant shall maintain at the facility a copy of the most recent radiation protection survey report for review by the Department. Radiation protection surveys shall meet the following additional requirements:
 - 1) X-ray therapy systems installed after October 15, 1993 shall have a radiation protection survey performed by a physicist before the therapy system is first used for irradiation of a patient.
 - 2) For all x-ray therapy systems, a radiation protection survey shall be performed by a physicist after any change in the x-ray therapy system or facility that might produce a radiation hazard. Such survey shall be performed before the therapy system is used to treat patients.
 - 3) Survey reports shall include, but need not be limited to, the following:
 - A) A diagram of the facility which details building structures and the position of the control panel, x-ray therapy system and associated equipment;
 - B) A description of the x-ray therapy system including the manufacturer, model number and range of kilovolt potential;
 - C) A description of the instrumentation used to determine radiation measurements, including the date and source of the most recent calibration for each instrument used;
 - D) Conditions under which radiation measurements were taken; and
 - E) Survey data including:
 - i) Projected weekly dose equivalent in areas adjacent to the therapy room; and
 - ii) A description of workload, use and occupancy factors employed in determining the projected weekly dose equivalent.
 - 4) The registrant shall retain a copy of the radiation protection survey report and a copy of the report shall be provided to the Department within 30 days after completion of the survey.
 - 5) Any deficiencies detected during the radiation protection survey that would constitute or result in a violation of 32 Ill. Adm. Code 340 shall be corrected prior to using the machine for treatment of patients.
 - 6) The facility shall be operated in compliance with any limitations indicated by the therapeutic radiological physicist as a result of the radiation protection survey required by the Department.
 - d) Calibrations and Quality Assurance Checks.
 - 1) Each x-ray therapy system installed after October 15, 1993 shall be calibrated by a therapeutic radiological physicist before the

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therapy system is first used for irradiation of a patient. ~~Quality assurance checks shall be made by a therapeutic radiological physicist at least once a year thereafter. If the calibration of the x-ray therapy system shall include, but need not be limited to, determination of the following:~~

- A) The radiation output, expressed as exposure rate in air or dose rate in tissue, as a function of distance, field size, x-ray tube potential and current, filters and treatment applicators used;
 - B) The half-value layer for each kilovoltage setting and filter combination used;
 - C) The degree of congruence between the radiation field and the field indicated by each beam-limiting device; and
 - D) An evaluation of the uniformity of the radiation field.
 - 2) ~~Quality assurance checks shall be made by a therapeutic radiological physicist at intervals not to exceed 1 year. Quality assurance checks shall include, but need not be limited to, determination of the following:~~
 - A) The radiation output for a set of operating conditions specified by the therapeutic radiological physicist; and
 - B) The coincidence of the radiation field and the field indicated by the beam-limiting device, except for systems equipped with fixed diaphragms or cones; and
 - C) ~~The therapeutic radiological physicist shall establish criteria for quality assurance check measurements and shall determine corrective actions to be implemented if the criteria are exceeded.~~
- AGENCY NOTE: Quality assurance checks should be performed at a frequency which is appropriate for the particular therapy system, as determined by the therapeutic radiological physicist and based on the history of stability of the radiation output of the machine. A suggested frequency is one that would result in a quality assurance check being performed at least once during a typical patient's course of treatment.
- 3) Whenever service or maintenance is performed on the therapy system, a therapeutic radiological physicist shall be notified and shall determine whether a calibration or quality assurance check is necessary to verify the characteristics of the beam.
 - 4) ~~The therapeutic radiological physicist shall establish criteria for quality assurance check measurements and shall determine corrective actions to be implemented if the criteria are exceeded.~~
 - 5) Measurements of the radiation output of the x-ray therapy system shall be performed using a dosimetry system that has been calibrated by a calibration laboratory accredited by the American Association of Physicists in Medicine (AAPM). Calibration of the dosimetry system shall have been performed using a radiation beam of comparable half-value layer to the x-ray system to be

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calibrated. The dosimetry system shall meet one of the two conditions below:

- A) The calibration of the dosimetry system shall have been performed within the previous 2 years and after any servicing that may have affected the calibration of the dosimetry system; or
- B) The dosimetry system shall have been calibrated within the previous 4 years and shall have been subjected to a protocol which provides for checks of dosimetry constancy and provides for corrective action when results deviate by more than two percent from the expected values.

65) The registrant shall maintain at the facility records of machine calibrations, quality assurance checks and instrument calibrations for inspection by the Department for a period of 5 years. Records to be maintained by the registrant shall include, but need not be limited to, the following:

- A) Records of machine calibrations and quality assurance checks shall include identification of the x-ray therapy system, radiation measurements, the date the measurements were performed and the signature of the therapeutic radiological physicist who performed the measurements.
- B) Instrument calibration records shall include the date of the last calibration and identity of the calibration laboratory. If a dosimetry system has been subjected to a protocol as described in subsection (d)(5)(4)(B) above, records shall be maintained that show the date and results of each constancy check performed on the system.

e) Operating Procedures

- 1) No x-ray therapy system shall be left unattended unless the system is secured against unauthorized use.
- 2) When a patient must be held in position for radiation therapy, mechanical supporting or restraining devices shall be used.
- 3) Other than the patient, no individual shall be in the therapy room unless such individual is protected by a barrier sufficient to meet the requirements of 32 Ill. Adm. Code 340.
- 4) Other than the patient, no individual shall be in the therapy room during exposures from x-ray therapy systems operating above 150 kVp.
- 5) The x-ray therapy system shall not be used for treatment of patients unless the operator can maintain visual observation of the patient and audible communication with the patient.
- 6) On contact therapy systems, a shield of at least 0.5 millimeter lead equivalency at 100 kVp shall be positioned over the entire useful beam exit port during periods when the tube is energized and the beam is not being applied to a patient used.
- 7) The tube housing assembly shall not be held by hand during operating unless the x-ray therapy system is designed to require such holding and the peak tube potential of the system does not exceed 50 kilovolts. In such cases, the person holding the tube

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shall wear protective gloves and apron of not less than 0.5 millimeter lead equivalency at 100 kVp.

(Source: Amended at 18 Ill. Reg. _____, effective _____)

Section 360.120 Therapy Systems Operating at 1 MeV or Greater

In addition to the provisions of Sections 360.10 through 360.30, the requirements of this Section apply to particle accelerator systems operating at energies of 1 MeV or greater. Accelerator systems capable of producing radioactive materials in excess of the exempt quantities specified in 32 Ill. Adm. Code 330.Appendix B shall also be licensed pursuant to the provision of 32 Ill. Adm. Code 330.

a) Facility Design

- 1) The registrant shall consult a therapeutic radiological physicist in the design of a particle accelerator installation.
- 2) Shielding Requirements
 - A) Each accelerator installation shall be provided with such primary and secondary barriers as are necessary to assure compliance with 32 Ill. Adm. Code 340-10107--340-10140--and 340-10156.
 - B) Facility design information for all accelerators installed after October 15, 1993 shall be submitted to the Department for review prior to installation. Information submitted to the Department shall include, but need not be limited to, the following:
 - i) Name and address of the planned installation;
 - ii) Name, address and telephone number of the therapeutic radiological physicist who was consulted in the design of the installation;
 - iii) A scale drawing that includes the location of the accelerator, control panel and doors to the room;
 - iv) The structural composition and thickness of all walls, doors, partitions, floor and ceiling of the installation;
 - v) The occupancy of areas adjacent to the installation;
 - vi) Calculations that demonstrate the adequacy of the amount of shielding specified for each primary and secondary protective barrier; and
 - vii) Projected weekly dose rates in areas adjacent to the installation.
- 3) Interlock. An interlock shall be installed on each door of the therapy room. The interlock shall be wired into the electrical circuit in such a manner that when the door is opened for any reason, the generation of radiation beams will automatically be terminated and irradiation can be resumed only by manually resetting the controls on the control panel after the door is closed.

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- 4) Warning lights that indicate when the beam is on shall be provided in a readily observable position near the outside of all access doors to the therapy room.
- 5) Viewing System. Windows, mirrors, closed-circuit television or an equivalent system shall be provided to permit continuous visual observation of the patient during irradiation and shall be located so that the operator can observe the patient from the control panel.

AGENCY NOTE: When the primary viewing system is electronic, a back-up system should be available for use in the event of failure of the primary system in order to ensure compliance with the requirements of subsection (q)(1)(H) below.

- 6) The facility design shall permit two-way aural communications between the patient and the operator at the control panel.
- 7) ~~Caution--Signs~~ Signs required by 32 Ill. Adm. Code 340-2000 340.920 shall be posted in the facility.
- 8) The control panel shall be outside the therapy room.
- 9) The facility design shall include emergency off buttons, at locations that allow shutting off the machine from inside the therapy room and at the control panel.
- 10) The doors to the therapy room shall be designed to allow opening from the inside at all times and shall be capable of being opened manually.

b) Equipment Requirements

- 1) Leakage radiation to the patient area shall be measured for each accelerator. Measurements shall be repeated following maintenance or service performed on the accelerator, as determined by a therapeutic radiological physicist.

A) For operating conditions producing maximum leakage radiation, the absorbed dose due to leakage radiation, excluding neutrons, at any point in a circular plane of 2 meters radius centered on and perpendicular to the central axis of the beam at the isocenter or normal treatment distance and outside the maximum useful beam size shall not exceed 0.1 percent of the maximum absorbed dose of the unattenuated useful beam measured at the point of intersection of the central axis of the beam and the plane surface. Radiation measurements shall be averaged over an area up to but not exceeding 100 square centimeters.

B) Records of the most recent radiation leakage measurements and the machine parameters used during the survey shall be maintained at the facility for inspection by the Department.

- 2) Beam-limiting Devices. Adjustable or interchangeable beam-limiting devices shall transmit no more than two percent of the useful beam at the normal treatment distance for the portion of the useful beam that is to be attenuated by the beam-limiting device. The neutron component of the useful beam shall not be subject to this requirement. This requirement does not apply to auxiliary blocks or materials placed in the useful beam to shape

the useful beam to the individual patient.

- 3) Source-Skin Distance (SSD) Indication

- A) Means shall be provided to indicate the SSD.
- B) The SSD shall be indicated in centimeters and/or inches and the measured SSD shall correspond to the indicated value to within 0.5 percent.

4) Filters

- A) Each filter that is removable from the system shall be clearly marked with an identification number. Documentation available at the control panel shall contain a description of the filter. For wedge filters, the wedge angle and maximum design field size shall appear on the wedge or wedge tray.

- B) If the machine calibration measurements required by subsection (d) below relate exclusively to operation with an x-ray field flattening filter or electron beam scattering filter in place, such filters shall be removable from the machine only by the use of tools.

- C) Equipment utilizing a system of wedge filters, interchangeable field flattening filters or interchangeable beam scattering filters shall meet the following requirements:

- i) The equipment shall have an interlock that prevents irradiation if any filter selection operation carried out in the therapy room is not consistent with the selection of filter, beam type or beam energy at the control panel; and
- ii) The equipment shall have an interlock system that prevents irradiation if any selected filter is not in the correct position.

- 5) Beam Monitoring System. All accelerator systems shall be provided with a beam monitoring system in the radiation head capable of monitoring and terminating irradiation.

- A) Each beam monitoring system shall have a display at the treatment control panel which shall register accumulated monitor units.

- B) The beam monitoring system shall terminate irradiation when the preselected number of monitor units has been detected by the system.

- C) Accelerator systems installed after October 15, 1993 shall be equipped with a primary and a secondary beam monitoring system. Each beam monitoring system shall be independently capable of monitoring and terminating irradiation.

- D) For units with a secondary beam monitoring system, the primary beam monitoring system shall terminate irradiation when the preselected number of monitor units has been detected. The secondary beam monitoring system shall terminate irradiation if the primary system fails.

- E) An interlock device shall prevent irradiation if any beam

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- monitoring system is inoperable.
- F) In the event of power failure, the display information required in subsection (b)(5)(A) above, shall be retrievable in at least one system for 20 minutes.
- 6) Beam Symmetry. For equipment equipped with beam bending magnets, the symmetry of the radiation beam in two orthogonal directions shall be monitored before the beam passes through the beam-limiting device. The equipment shall provide means of terminating irradiation automatically if the difference in dose rate between one region and another region exceeds criteria specified by the manufacturer.
- 7) Control Panel
- A) Selection and Display of Monitor Units
- i) Irradiation shall not be possible until a selection of a number of monitor units has been made at the control panel.
 - ii) The selected number of monitor units shall be displayed at the control panel until reset.
 - iii) After completion of irradiation, it shall be necessary to reset the accumulated beam monitor units before treatment can be restarted.
- B) Termination of Irradiation. It shall be possible to terminate irradiation and equipment movements at any time from the operator's position at the control panel.
- C) Selection of Radiation Type. Equipment capable of both photon and electron therapy shall meet the following requirements:
- i) Irradiation shall not be possible until the radiation type has been selected and displayed at the control panel.
 - ii) An interlock shall be provided to ensure that the machine will emit only the radiation type that has been selected.
 - iii) An interlock shall be provided to prevent irradiation with x-rays, except to obtain port films, when electron applicators are installed.
 - iv) An interlock shall be provided to prevent irradiation with electrons if accessories specific for x-ray therapy are installed.
- D) Section of Radiation Energy. Equipment capable of producing radiation beams of different energies shall meet the following requirements:
- i) Irradiation shall not be possible until a selection of energy has been made at the control panel.
 - ii) An interlock shall be provided to ensure that the machine will emit only the nominal energy of radiation that has been selected.
 - iii) The nominal value of the energy selected shall be displayed at the treatment control panel.

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- E) Selection of Stationary or Moving Beam Therapy. Equipment capable of both stationary and moving beam therapy shall meet the following requirements:
- i) Irradiation shall not be possible unless either stationary therapy or moving beam therapy has been selected at the control panel. The selection of stationary therapy may be performed as a default selection if moving beam therapy is not selected.
 - ii) An interlock shall be provided to ensure that the machine will operate only in the mode which that has been selected.
 - iii) An interlock shall be provided to terminate irradiation if the gantry fails to move properly during moving beam therapy.
 - iv) Means shall be provided to prevent movement of the gantry during stationary therapy.
 - v) The mode of operation shall be displayed at the control panel.
- F) Timers. A timer shall be provided with a display at the treatment control panel, as a back-up device to the beam monitoring system.
- i) The timer shall permit presetting and determination of exposure times.
 - ii) The timer shall be a cumulative timer which activates with the production of radiation and retains its reading after irradiation is interrupted or terminated.
 - iii) The timer shall terminate irradiation when a preselected time has elapsed if the beam monitoring system has not previously terminated irradiation. If set at zero, the timer shall not permit irradiation.
- G) Security. The control panel shall be capable of being locked to prevent unauthorized use.
- c) Radiation Protection Survey. A radiation protection survey shall be performed by a therapeutic radiological physicist on each accelerator. The registrant shall maintain at the facility a copy of the most recent radiation protection survey report for review by the Department. Radiation protection surveys shall meet the following additional requirements:
- 1) For each accelerator installed after October 15, 1993, a radiation protection survey shall be performed by a physicist before the system is first used for irradiation of a patient. The physicist who performs the radiation protection survey shall be a person who did not consult in the design of the accelerator installation (see subsection (a) above) and is not employed by or within any corporation or partnership with the person who consulted in the design of the installation.
 - 2) A radiation protection survey shall be performed by a physicist after any change in the accelerator or facility that might

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produce a radiation hazard. Such survey shall be performed before the system is used to treat patients.

- 3) The survey report shall include, but need not be limited to, the following:

- A) A diagram of the facility which details building structures and the position of the control panel, accelerator and associated equipment;
- B) A description of the accelerator system including the manufacturer, model number, beam type and beam energy range;
- C) A description of the instrumentation used to determine radiation measurements, including the date and source of the most recent calibration for each instrument used;
- D) Conditions under which radiation measurements were taken;
- E) Survey data including:

- i) Projected weekly dose equivalent in areas adjacent to the therapy room; and
- ii) A description of workload, use and occupancy factors employed in determining the projected weekly dose equivalent.

- 4) The registrant shall retain a copy of the radiation protection survey report and a copy of the report shall be provided to the Department within 30 days after completion of the survey.

- 5) Any deficiencies detected during the radiation protection survey that would constitute or result in a violation of 32 Ill. Adm. Code 340 shall be corrected prior to using the machine for treatment of patients.

- 6) The facility shall be operated in compliance with any limitations indicated by the therapeutic radiological physicist as a result of the radiation protection survey.

- d) Machine Calibration. Calibration measurements shall be performed on each accelerator system by a therapeutic radiological physicist before the therapy system is first used for irradiation of a patient. Subsequent calibrations shall be performed at intervals not exceeding 1 year.

- 1) Calibration measurements shall include, but need not be limited to, the following determinations:

- A) Verification that the equipment is operating in compliance with the design specifications concerning the light localizer, variation in the axes of rotation for the table, gantry and jaw system and the beam flatness and symmetry at the specified depth;
- B) The absorbed dose rate at various depths in water for the range of field sizes used, for each beam type and energy;
- C) The uniformity of the radiation field and any dependency upon the direction of the beam;
- D) Verification that existing depth-dose data and isodose charts applicable to the specific machine continue to be valid or are updated to existing machine conditions; and
- E) Verification of transmission factors for all accessories

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such as wedges, shadow trays and compensators, as applicable.

- 2) Calibration radiation measurements shall be performed using a dosimetry system that has been calibrated by a calibration laboratory accredited by the American Association of Physicists in Medicine (AAPM), and meets the requirements of either subsection (A) or (B) below:

- A) The calibration shall have been performed within the previous 2 years and after any servicing that may have affected calibration of the dosimetry system; or
- B) The dosimetry system shall have been calibrated within the previous 4 years and shall have been:

- i) Compared at annual intervals following the calibration to a dosimetry system with calibration obtained within the previous 2 years from a calibration laboratory accredited by the AAPM, and the results of the comparison indicate the calibration factor has not changed by more than two percent; or
- ii) Subjected to a testing protocol that has been established by a therapeutic radiological physicist and that provides for checks of dosimetry constancy and provides for corrective action when results deviate more than two percent from the expected values.

AGENCY NOTE: Redundancy is a basic tenet of radiation dosimetry, therefore the therapeutic radiological physicist should establish a program of inter-comparison and constancy testing of calibrated dosimetry instruments to assure, as much as possible, the accuracy, reliability and reproducibility of the measurements performed with those instruments.

- 3) Calibration of the radiation output of the accelerator shall be performed in accordance with:

- A) The protocol of Task Group 21, Radiation Therapy Committee, American Association of Physicists in Medicine (AAPM), entitled "A Protocol for the Determination of Absorbed Dose from High-Energy Photon and Electron Beams" published in Medical Physics, Volume 10, pages 741-771 (1983), exclusive of subsequent amendments or editions; or
- B) The protocol of the Scientific Committee on Radiation Dosimetry of the AAPM, entitled "Protocol for the Dosimetry of X and Gamma Ray Beams with Maximum Energies Between 0.6 and 50 Mev", published in Physics, Medicine, and Biology, Volume 16, pages 379-396 (1971), exclusive of subsequent amendments or editions; or
- C) Other machine calibration protocols provided that the registrant has submitted the protocols to the Department and the protocols cover the same topics as those contained in subsections (d)(3)(A) and (B), above.

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AGENCY NOTE: Copies of the two protocols referenced above are available for public inspection at the Department of Nuclear Safety, 1035 Outer Park Drive, Springfield, Illinois. The protocols may also be obtained directly from the AAPM, 335--East--45th--Street--New-York--NY-10017 One Physics Ellipse, College Park MD 20740-3846.

4) The radiation output of each therapy system shall be independently verified at intervals not to exceed 2 years. Independent verification shall consist of:

- A) Verification of the machine output by a therapeutic radiological physicist who is not employed at the facility and does not perform the annual calibration; or
- B) Alternate methods of verification of machine output, such as the use of mailed dosimetry devices, that use devices and procedures approved by the AAPM.

5) Machine calibration records shall include identification of the accelerator calibrated, the results of the tests specified in subsection (d)(1) above and shall be signed and dated by the therapeutic radiological physicist who performed the calibration.

6) The registrant shall maintain at the facility, for a period of 5 years, records of machine calibrations, instrument calibrations and independent verifications of machine output for inspection by the Department.

e) Quality Assurance Checks. A quality assurance (QA) check shall be performed by a therapeutic radiological physicist on each therapy system each calendar month. The interval between QA checks shall not exceed 45 days. QA checks shall also be performed after any change which could affect the radiation output, spatial distribution or other characteristics of the therapy beam, as determined by the physicist. Quality assurance checks shall also meet the following requirements:

- 1) Quality assurance checks shall include determination of:
 - A) The radiation output for a set of operating conditions specified by a therapeutic radiological physicist; and
 - B) The coincidence of the radiation field and the field indicated by the localizing device.
- 2) Radiation measurements shall be obtained using a dosimetry system that:
 - A) Meets the requirements of subsection (d)(2) above; or
 - B) Has been directly compared by a therapeutic radiological physicist within the previous year with a dosimetry system which meets the requirements of subsection (d)(2) above.
- 3) The therapeutic radiological physicist shall establish criteria for quality assurance check measurements and shall determine corrective actions to be implemented if the criteria are exceeded.
- 4) The registrant shall retain a record of quality assurance check measurements for inspection by the Department for a period of 5 years. The record shall include the date of the quality assurance check, identification of the accelerator, results of

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the quality assurance check measurements and the signature of the individual who performed the quality assurance check.

f) Quality Control. A comprehensive quality control program shall be implemented as specified by a therapeutic radiological physicist and shall meet the following requirements:

- 1) The program shall be designed to test the operation and performance of the accelerator in order to maintain radiation safety and clinical reliability. The program shall include as a minimum the items listed in Section 360. Appendix E.
- 2) The physicist shall specify the tolerance and frequency of performance for each item of the quality control program.
- 3) The physicist shall specify what actions are to be taken for any item exceeding the specified tolerance.
- 4) The physicist shall review, sign and date the results of the quality control program each calendar month.

AGENCY NOTE: The elements of a comprehensive quality control program are described in Report No. 13 published by the AAPM, entitled "Physical Aspects of Quality Assurance in Radiation Therapy" (1984). A copy of this report is available for public inspection at the Department of Nuclear Safety, 1035 Outer Park Drive, Springfield, Illinois. Report No. 13 may also be obtained directly from the AAPM, 335--East--45th--Street--New-York--NY-10017 One Physics Ellipse, College Park MD 20740-3846.

g) Operating Procedures. The registrant shall have a therapeutic radiological physicist establish written operating and emergency procedures and shall ensure that the procedures are implemented before the accelerator is used for treatment of patients. Operators of accelerators shall receive training in the application of the procedures before using the accelerator to irradiate patients. A copy of the current operating and emergency procedures shall be maintained at the treatment control panel for use and review.

1) Operating procedures to be implemented shall include instructions that:

- A) The accelerator is used in such a manner that patients, workers and the general public are protected from radiation hazards and the provisions of 32 Ill. Adm. Code 340 are met;
- B) No accelerator shall be left unattended unless it is secured against unauthorized use;
- C) The safety interlock system shall not be used to turn off the beam except in an emergency;
- D) The safety interlocks and warning systems required in subsections (a)(3), (a)(4) and (a)(9) above shall be tested for proper operation at monthly intervals;
- E) Mechanical supporting or restraining devices shall be used when a patient must be held in position for radiation therapy;
- F) No individual other than the patient shall be in the therapy room during irradiation;
- G) Start-up procedures for the accelerator, specified by the

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therapeutic radiological physicist, shall be performed daily prior to treatment of patients; and

H) The accelerator shall not be used for treatment of patients unless the operator can maintain visual observation of the patient and audible communication with the patient.

2) Emergency procedures shall include instructions for alternate methods for termination of irradiation and machine movements.

AGENCY NOTE: The operating and emergency procedures should contain as a minimum the machine manufacturer's operations manual for the accelerator.

3) Operating and emergency procedures shall include instructions for contacting the therapeutic radiological physicist when operational problems or emergencies occur and the actions that are to be taken until the physicist can be contacted.

h) Machine Maintenance. The therapeutic radiological physicist shall establish accelerator maintenance procedures that meet the following requirements:

1) Whenever service or maintenance is performed on the accelerator, a therapeutic radiological physicist shall be notified of such service or maintenance.

2) Following completion of service or maintenance involving radiation beam generation, beam steering or monitoring of the beam, but before the accelerator is again used for treatment of patients, the therapeutic radiological physicist shall review the service or maintenance report and shall determine whether a calibration or quality assurance check is necessary to verify the characteristics of the beam(s). If the therapeutic radiological physicist determines that a calibration or quality assurance check is necessary, the calibration or quality assurance check shall be performed before the accelerator is again used for treatment of patients.

3) The therapeutic radiological physicist shall establish the frequency of routine maintenance and ensure that records of all service and maintenance performed on the machine are maintained at the facility.

4) The therapeutic radiological physicist shall sign and date records of all service and maintenance performed on the machine.

5) The therapeutic radiological physicist shall specify the qualifications of maintenance personnel and prohibit non-qualified personnel from repairing the machine or adjusting parameters on the machine.

6) Circuit diagrams of the accelerator and interlock systems shall be maintained at the facility and kept current.

(Source: Amended at 18 Ill. Reg. _____, effective _____)

Section 360.APPENDIX A Medical Radiographic Entrance Exposure Measurement Protocol

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The following protocol shall be used for measuring and calculating entrance skin exposures (ESE) for routine diagnostic examinations. Radiation measurements shall be performed with a calibrated radiation measuring device that is sufficiently sensitive to determine compliance with the criteria specified in Section 360.60(e). The instrument shall have been calibrated within the previous 12 months with devices which have no more than a three-step (tertiary) calibration, traceable to the National Institute of Standards and Technology. Patients are not involved in the measurement protocol.

a) Position the x-ray tube at the source-image receptor distance (SID) routinely used and adjust the collimation to the size routinely used for the examination.

b) Measure the distance from the x-ray source to the source against which the patient rests. Subtract the thickness of the patient to obtain the source-skin distance (SSD). The standard patient thickness for each projection to be measured shall be the following:

Projection	Thickness (cm)
Chest (PA), Grid	23
Chest (PA), Non-Grid	23
Abdomen (KUB)	23
Lumbo-Sacral Spine (AP)	23
Cervical Spine (AP)	13
Skull (lateral)	15
Foot (D/P)	8

c) Place a radiation measuring device in the center of the useful beam, measure and record the distance from the source to the device (SDD). Use of a test stand to position the device away from the table will reduce backscatter contribution. Placing the radiation measuring device at the actual source-skin distance (SSD) will accomplish this and allow direct reading of the ESE.

d) Set the exposure technique as follows:

1) For non-phototimed x-ray systems, set the controls to the exposure technique used by the x-ray operator for the standard patient thickness specified in subsection (b) above.

2) For phototimed x-ray systems, set the controls to the exposure technique used by the x-ray operator for the standard patient thickness specified in subsection (b) above, and use one of the two methods below:

A) Place an appropriate phantom (simulating body attenuation) in the useful beam between the radiation measuring device and the radiographic tabletop; or

B) Set an appropriate exposure technique in the manual mode (without activation of the phototimer).

AGENCY NOTE: Specifications for appropriate phantoms are included in the American Association of Physicists in Medicine (AAPM) Report No. 31, entitled "Standardized

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Methods for Measuring Diagnostic X-Ray Exposures" (July 1990).

AGENCY NOTE: A copy of this report is available for public inspection at the Department of Nuclear Safety, 1035 Outer Park Drive, Springfield, IL. Copies of this report may also be obtained from the American-Institute-of-Physics-64-Bepot Road,--Cochester---VT--05446 AAPM, One Physics Ellipse, College Park MD 20740-3846.

- e) Make a radiographic exposure (without patient) and record the reading obtained from the radiation measuring device
- f) Calculate the entrance skin exposure for the specific examination, using the radiation exposure reading from subsection (e) above and the equation below (if a direct result was not obtained with the dosimeter at the SSD):
The entrance skin exposure equals the product of the radiation exposure reading from subsection (e) above multiplied by the square of the ratio of the SSD, to the SSD. This expression is mathematically represented by the equation below (if a direct result was not obtained with the dosimeter at the SSD):

2

$$\text{ESE} = (\text{Dosimeter Reading}) \times \left[\frac{\text{SSD}}{\text{SSD}_0} \right]^2$$

where: SSD = source-radiation measuring device distance

SSD₀ = source-skin distance

- g) Compare the results of the calculation from subsection (f) above with the criteria specified in Section 360.60(e) to determine compliance.

AGENCY NOTE: There are many different techniques for measuring ESE which may result in significant differences in measured values. Factors that can cause variations include instrument calibration, backscatter, collimation, estimation of focal spot location, choice of phantom, location of dosimeter in the primary beam, etc. Because of these variations, the procedure for determining the ESE should be performed with strict attention to each detail noted above.

(Source: Amended at 18 Ill. Reg. _____, effective _____)

DEPARTMENT OF NUCLEAR SAFETY

NOTICE OF ADOPTED RULES

Section 360. TABLE A Mammography Dose Evaluation Table

This table is used to determine the mean glandular dose in millisieverts milligrays delivered by 25.8 mC/kg (or millirad) delivered by 1 R in air incident on a 4.5-centimeter thickness compressed breast of average density (50 percent adipose and 50 percent glandular tissue). Values listed are for the first half-value layer (HVL) in millimeters of aluminum (mm Al), for x-ray tube target-filter combinations of molybdenum/molybdenum (Mo/Mo) and tungsten/aluminum (W/Al). Linear extrapolation or interpolation shall be made for any HVL not listed.

Mean Glandular Dose in millisieverts milligrays for 25.8 mC/kg (or millirad for 1 R, Entrance Exposure for a 4.5-Centimeter Compressed Breast of Average Density

SEE PAGE 11753

DEPARTMENT OF NUCLEAR SAFETY

NOTICE OF ADOPTED RULES

HVL (mm AL)	Mo/ ⁹⁹ Tc Target-Filter X-Ray Tube Voltage (kVp)										W/AI Target- Filter Combination	
	23	24	25	26	27	28	29	30	31	32	33	
0.23	109											
0.24	113	116										
0.25	117	120	122									
0.26	121	124	126	128								
0.27	126	128	130	132	134							
0.28	130	132	134	136	138	139						
0.29	135	137	139	141	142	143	144					
0.30	139	141	143	145	146	147	148	149				170
0.31	144	146	147	149	150	151	152	153	154			175
0.32	148	150	151	153	154	155	156	158	159	160	160	180
0.33	153	154	155	157	158	159	160	162	163	164	164	185
0.34	157	159	160	161	162	163	164	166	167	168	168	190
0.35		163	164	166	167	168	169	170	171	172	172	194
0.36			166	170	171	172	173	174	175	176	176	199
0.37				174	175	176	177	178	178	179	180	204
0.38					179	180	181	182	182	183	184	208
0.39						184	185	186	186	187	188	213
0.40							189	190	191	192	192	217
0.41								194	195	196	196	221
0.42										200	200	225
0.43											204	230
0.44												234
0.45												238

AGENCY NOTE: Adapted from: Quality Control Manual for Mammography: Medical
Physicist's Manual, 1992, American College of Radiology/American Cancer
Society.

(Source: Amended at 18 Ill. Reg. _____, effective
_____)

POLLUTION CONTROL BOARD

NOTICE OF ADOPTED AMENDMENTS

- 1) Heading of the Part: Effluent Standards
- 2) Code Citation: 35 Ill. Adm. Code 304
- 3) Section Number: 304.303
Adopted Action: new section
- 4) Statutory Authority: 415 ILCS 5/13, 5/27 (1992).
- 5) Effective Date of Rule(s) (Amendments, Repealer):
- 6) Does this rulemaking contain an automatic repeal date? No.
- 7) Does this rulemaking contain an automatic repeal date? by reference? No.
- 8) Date Filed in Agency's Principal Office? June 23, 1994
- 9) Notice(s) of Proposal Published in Illinois Register: 18 Ill. Reg. 2560, February 18, 1994.
- 10) Has JCAR issued a Statement of Objections to this (these) Rule(s)? If answer is "yes," please complete the following: No.
- 11) Difference(s) between proposal and final version? There are no substantive differences between the proposal and the final version. The only changes made to the new section are typographical corrections and minor wording changes requested by JCAR.
- 12) Have all the changes agreed upon by the Agency and JCAR been made as indicated in the agreement letter issued by JCAR? Yes.
- 13) Will this rule (amendments, repealer) replace an emergency rule currently in effect? No.
- 14) Are there any amendments pending on this Part? No.
- 15) Summary and Purpose of Rule(s): The rule grants temporary effluent limitations for chromium (total and hexavalent), copper, zinc, cyanide, and total suspended solids for Amerock Corporation's Rockford manufacturing facility. Amerock vents its work areas (which generate dust or metal-containing particles) to the outside air. Some of the material exhausted to the air settles on the roof of the facility and is eventually washed into the roof drainage system. The roof drainage system is routed to eight separate outfalls which discharge into North Kent Creek. The rule, which expires on December 31, 2000, allows Amerock to continue its current practices.

POLLUTION CONTROL BOARD

NOTICE OF ADOPTED AMENDMENTS

- 16) Information and questions regarding this adopted rule shall be directed to:

Elizabeth Schroer Harvey
Illinois Pollution Control Board
100 W. Randolph Street, Suite 11-500
Chicago, IL 60601
312/814-6921

The full text of the adopted rule(s) begins on the following page:

POLLUTION CONTROL BOARD

NOTICE OF ADOPTED AMENDMENTS

TITLE 35: ENVIRONMENTAL PROTECTION
SUBTITLE C: WATER POLLUTION
CHAPTER I: POLLUTION CONTROL BOARD

PART 304
EFFLUENT STANDARDS

SUBPART A: GENERAL EFFLUENT STANDARDS

Section	
304.101	Preamble
304.102	Dilution
304.103	Background Concentrations
304.104	Averaging
304.105	Violation of Water Quality Standards
304.106	Offensive Discharges
304.120	Deoxygenating Wastes
304.121	Bacteria
304.122	Nitrogen (STORET number 00610)
304.123	Phosphorus (STORET number 00665)
304.124	Additional Contaminants
304.125	pH
304.126	Mercury
304.140	Delays in Upgrading (Repealed)
304.141	NPDES Effluent Standards
304.142	New Source Performance Standards (Repealed)

SUBPART B: SITE SPECIFIC RULES AND
EXCEPTIONS NOT OF GENERAL APPLICABILITY

Section	
304.201	Wastewater Treatment Plant Discharges of The Metropolitan Sanitary District of Greater Chicago
304.202	Chlor-alkali Mercury Discharges in St. Clair County
304.203	Copper Discharges by Olin Corporation
304.204	Schoenberger Creek: Groundwater Discharges
304.205	John Deere Foundry Discharges
304.206	Alton Water Company Treatment Plant Discharges
304.207	Galesburg Sanitary District Deoxygenating Wastes Discharges
304.208	City of Lockport Treatment Plant Discharges
304.209	Wood River Station Total Suspended Solids Discharges
304.210	Alton Wastewater Treatment Plant Discharges
304.211	Discharges From Borden Chemicals and Plastics Operating Limited Partnership Into an Unnamed Tributary of Long Point Slough
304.212	Sanitary District of Decatur Discharges
304.213	UNO-VEN Refinery Ammonia Discharge
304.214	Mobil Oil Refinery Ammonia Discharge
304.215	City of Tuscola Wastewater Treatment Facility Discharges
304.216	Newton Station Suspended Solids Discharges

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- 304.218 City of Pana Phosphorus Discharge
 304.219 North Shore Sanitary District Phosphorus Discharges
 304.220 East St. Louis Treatment Facility, Illinois-American Water Company
 304.221 Ringwood Drive Manufacturing Facility in McHenry County
 304.222 Intermittent Discharge of TRC

SUBPART C: TEMPORARY EFFLUENT STANDARDS

- Section
 304.301 Exception for Ammonia Nitrogen Water Quality Violations
 304.302 City of Joliet East Side Wastewater Treatment Plant
 304.303 Amerock Corporation, Rockford Facility

APPENDIX A References to Previous Rules

AUTHORITY: Implementing Section 13 and authorized by Section 27 of the Environmental Protection Act (Ill. Rev. Stat. 1991, ch. 111 1/2, pars. 1013 and 1027) [415 ILCS 5/13 and 27].

SOURCE: Filed with the Secretary of State January 1, 1978; amended at 2 Ill. Reg. 30, p. 343, effective July 27, 1978; amended at 2 Ill. Reg. 44, p. 151, effective November 2, 1978; amended at 3 Ill. Reg. 20, p. 95, effective May 17, 1979; amended at 3 Ill. Reg. 25, p. 190, effective June 21, 1979; amended at 4 Ill. Reg. 20, p. 53, effective May 7, 1980; amended at 6 Ill. Reg. 563, effective December 24, 1981; codified at 6 Ill. Reg. 7818; amended at 6 Ill. Reg. 1161, effective September 7, 1982; amended at 6 Ill. Reg. 13750, effective October 26, 1982; amended at 7 Ill. Reg. 3020, effective March 4, 1983; amended at 7 Ill. Reg. 8111, effective June 23, 1983; amended at 7 Ill. Reg. 14515, effective October 14, 1983; amended at 7 Ill. Reg. 14910, effective November 14, 1983; amended at 8 Ill. Reg. 1600, effective January 18, 1984; amended at 8 Ill. Reg. 3687, effective March 14, 1984; amended at 8 Ill. Reg. 8237, effective June 8, 1984; amended at 9 Ill. Reg. 1379, effective January 21, 1985; amended at 9 Ill. Reg. 4510, effective March 22, 1985; peremptory amendment at 10 Ill. Reg. 456, effective December 23, 1985; amended at 11 Ill. Reg. 3117, effective January 28, 1987; amended in R84-13 at 11 Ill. Reg. 7291, effective April 3, 1987; amended in R86-17(A) at 11 Ill. Reg. 14748, effective August 24, 1987; amended in R84-16 at 12 Ill. Reg. 2445, effective January 15, 1988; amended in R83-23 at 12 Ill. Reg. 8658, effective May 10, 1988; amended in R87-27 at 12 Ill. Reg. 9905, effective May 27, 1988; amended in R82-7 at 12 Ill. Reg. 10712, effective June 9, 1988; amended in R85-29 at 12 Ill. Reg. 12064, effective July 12, 1988; amended in R87-22 at 12 Ill. Reg. 13966, effective August 23, 1988; amended in R86-3 at 12 Ill. Reg. 20126, effective November 16, 1988; amended in R84-20 at 13 Ill. Reg. 851, effective January 9, 1989; amended in R85-11 at 13 Ill. Reg. 2060, effective February 6, 1989; amended in R88-1 at 13 Ill. Reg. 5976, effective April 18, 1989; amended in R86-17(B) at 13 Ill. Reg. 7754, effective May 4, 1989; amended in R88-22 at 13 Ill. Reg. 8880, effective May 26, 1989; amended in R87-6 at 14 Ill. Reg. 6777, effective April 24, 1990; amended in R87-36 at 14 Ill. Reg. 9437, effective May 31, 1990; amended in R88-21(B) at 14 Ill. Reg. 12538, effective July 18, 1990;

POLLUTION CONTROL BOARD

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amended in R84-44 at 14 Ill. Reg. 20719, effective December 11, 1990; amended in R86-14 at 15 Ill. Reg. 241, effective December 18, 1990; amended in R93-8 at 18 Ill. Reg. 267, effective December 22, 1993; amended in R87-33 at 18 Ill. Reg. _____, effective _____.

SUBPART C: TEMPORARY EFFLUENT STANDARDS

Section 304.303 Amerock Corporation, Rockford Facility

- a) This Section applies only to stormwater discharges from Amerock Corporation's Rockford facility into North Kent Creek in Winnebago County, Illinois.
 b) Instead of the general effluent limitations set forth in Section 304.124(a) for the following listed parameters, stormwater discharges from Amerock's Rockford facility shall not exceed the following limitations:

CONSTITUENT	STORET NUMBER	LIMITATION (lbs/mc)
Chromium (total)	01032	4.0
Chromium (hexavalent)	01033	1.0
Copper	01042	20.0
Cyanide	00720	3.0
Zinc	01092	60.0
Total Suspended Solids	00530	300.0

c) This Section is not effective after December 31, 2000.

(Source: Added at 18 Ill. Reg. _____, effective _____)

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NOTICE OF ADOPTED AMENDMENTS

1) Heading of the Part: Hearings Pursuant to Specific Rules

2) Code Citation: 35 Ill. Adm. Code 106

3) Section Numbers: Proposed Action:
 106.930 new section
 106.931 new section
 106.932 new section
 106.933 new section
 106.934 new section

4) Statutory Authority: 415 ILCS 5/27 and 28.5

5) Effective Date of Rule(s): Jul 11 1994

6) Do these rulemakings contain an automatic repeal date? No

7) Do these rule contain incorporations by reference? No.

8) Date Filed in Agency's Principal Office: June 23, 1994

9) Notice(s) of Proposal Published in Illinois Register:
 18 Ill. Reg. 959, January 28, 1994

10) Has JC&R issued a Statement of Objections to these rules? No

11) Difference(s) between proposal and final version:

Differences between the proposal and the final adopted rules are indicated below by highlighting, with appropriate underlining and strikeouts included within that highlighting:

SUBPART J: CULPABILITY DETERMINATIONS

Section 106.930 Applicability

The provisions of this Subpart shall apply to any proceeding appeal initiated by an owner or operator of a source pursuant to a finding of culpability by the Illinois Environmental Protection Agency (Agency) under 35 Ill. Adm. Code 212.702 and 212.705.

(Source: Added at 18 Ill. Reg. _____, effective _____)

Section 106.931 Petition for Review

a) A proceeding brought under this Subpart shall be commenced by the owner or operator of a source by servicing a petition upon the Agency and filing to the original and nine copies of a petition for review with the Clerk of the Pollution Control Board (Board).

POLLUTION CONTROL BOARD

NOTICE OF ADOPTED AMENDMENTS

The petitioner shall serve upon the Agency one copy of the petition for review.

b) General filing and practice rules are set forth in 35 Ill. Adm. Code 101.

bc) A petition for review filed pursuant to this Subpart shall include, but need not be limited to: a detailed description of and justification for the source's assertion that a finding of culpability by the Agency under 35 Ill. Adm. Code 212.705 is improper or incorrect.

1) A copy of the letter, or other written communication, setting forth the Agency's finding of culpability;

2) A clear identification of the county in which the source is located; and

3) A detailed description of, and justification for, the source's position that the Agency's finding of culpability is incorrect.

(Source: Added at 18 Ill. Reg. _____, effective _____)

Section 106.932 Response and Reply

a) The Agency may shall file a response to a petition appealing a determination of culpability within 21 days after service of the petition.

b) The Agency's response shall contain, at a minimum, the basis of its determination of the petitioner's culpability, including any meteorological, monitoring, or sampling data upon which the determination was made.

bc) The petitioner may file a reply within 7 days after the final service of any response by the Agency.

(Source: Added at 18 Ill. Reg. _____, effective _____)

Section 106.933 Notice and Hearing

a) Within 14 days after a petition is filed, the Agency shall publish notice of such petition in a newspaper of general circulation in the county in which the source is located. Within 30 days of the filing of the petition, any person may file with the Clerk of the Board a request for hearing on the petition.

ab) The hearing officer will schedule any hearing. The Clerk of the Board shall give notice of the petition and any hearing in accordance with 35 Ill. Adm. Code 103. The proceeding shall be conducted in accordance with 35 Ill. Adm. Code 103.

bc) The burden of proof in such proceedings appeals pursuant to this

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Subpart is shall be on the petitioner.

TITLE 35: ENVIRONMENTAL PROTECTION
SUBTITLE A: GENERAL PROVISIONS
CHAPTER I: POLLUTION CONTROL BOARD

(Source: Added at 18 Ill. Reg. _____, effective _____)

Section 106.934 Opinion and Order

PART 106

HEARINGS PURSUANT TO SPECIFIC RULES

The Board shall will issue a written opinion and order within--120--days after--the--filing-of-the-petition that sets forth the Board's decision and supporting rationale.

SUBPART A: HEATED EFFLUENT DEMONSTRATIONS

(Source: Added at 18 Ill. Reg. _____, effective _____)

Section
106.101 Petition
106.102 Requirements for Petition
106.103 Parties
106.104 Recommendation
106.105 Notice and Hearing
106.106 Transcripts
106.107 Opinion and Order

12) Have all the changes agreed upon by the agency and JCAR been made as indicated in the agreement letter issued by JCAR? Yes

13) Will this rule replace an emergency rule currently in effect? No

14) Are there any amendments pending on this Part? No

SUBPART B: ARTIFICIAL COOLING LAKE DEMONSTRATIONS

Section
106.201 Petition
106.202 Notice and Hearing
106.203 Transcripts
106.204 Effective Date

15) Summary and Purpose of Rule(s):

The rules add procedures necessary to implement the rulemaking for contingency measures for PM10 nonattainment areas, as required by Section 172(c)(9) of the Clean Air Act. (42 U.S.C. Section 7401 et seq.) The rules in Part 106 establish procedures for appeal to the Pollution Control Board of a finding by the Illinois Environmental Protection Agency that a source is culpable for an exceedence of the standard for particulate matter.

SUBPART C: SULFUR DIOXIDE DEMONSTRATIONS

Section
106.301 Petition
106.302 Requirements for Petition
106.303 Parties
106.304 Recommendation
106.305 Notice and Hearing
106.306 Transcripts

16) Information and questions regarding these adopted amendments shall be directed to:

Name: Elizabeth Schroer Harvey
Address: Illinois Pollution Control Board
100 W. Randolph Street, Suite 11-500
Chicago, IL 60601

Telephone: 312/814-6921

The full text of the Adopted Amendments begins on the next page:

SUBPART D: RCRA ADJUSTED STANDARD PROCEDURES

Section
106.401 Petition (Repealed)
106.402 Notice of Petition (Repealed)
106.403 Recommendation (Repealed)
106.404 Response (Repealed)
106.405 Public Comment (Repealed)
106.406 Public Hearings (Repealed)
106.407 Decision (Repealed)
106.408 Appeal (Repealed)
106.410 Scope and Applicability
106.411 Joint or Single Petition

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106.412 Request to Agency to Join as Co-Petitioner
 106.413 Contents of Petition
 106.414 Response and Reply
 106.415 Notice and Conduct of Hearing
 106.416 Opinions and Orders

106.806 Order of Hearing
 106.807 Post-hearing Comments
 106.808 Burden of Proof
 106.901 Board Deliberations
 106.902 Dismissal of Petition
 106.903 Board Decision
 106.904 Opinion and Order
 106.905 Appeal of Board Decisions
 106.906 Publication of Adjusted Standards
 106.907 Effect of Filing a Petition

SUBPART E: AIR ADJUSTED STANDARD PROCEDURES

Section
 106.501
 106.502
 106.503
 106.504
 106.505
 106.506
 106.507

Scope and Applicability
 Joint or Single Petition
 Request to Agency to Join As Co-Petitioner
 Contents of Petition
 Response and Reply
 Notice and Conduct of Hearing
 Opinions and Orders

SUBPART F: WATER WELL SETBACK EXCEPTION PROCEDURES

Section
 106.601
 106.602
 106.603
 106.604
 106.605

Scope and Applicability
 Contents of Petition
 Response and Reply
 Notice and Conduct of Hearing
 Opinions and Orders

SUBPART G: ADJUSTED STANDARDS

Section
 106.701
 106.702
 106.703
 106.704
 106.705
 106.706
 106.707
 106.708
 106.709
 106.710
 106.711
 106.712
 106.713
 106.714
 106.715

Applicability
 Definitions
 Joint or Single Petition
 Request to Agency to Join As Co-Petitioner
 Petition Contents
 Petition Verification
 Federal Procedural Requirements
 Incorporated Material
 Motions
 Service of Filings
 Petition Notice
 Proof of Petition Notice
 Request for Public Hearing
 Agency Response
 Amended Petition and Amended Response
 Hearing Scheduled
 Hearing Notice
 Pre-Hearing Submission of Testimony and Exhibits
 Discovery
 Admissible Evidence

SUBPART H: REVOCATION AND REOPENING OF CLEAN AIR ACT PERMIT PROGRAM (CAAPP)
 PERMITS

Section
 106.910
 106.911
 106.912
 106.913
 106.914
 106.915
 106.916

Applicability
 Definitions
 Petition
 Response and Reply
 Notice and Hearing
 Opinion and Order
 USEPA Review of Proposed Determination

SUBPART I: MAXIMUM ACHIEVABLE CONTROL TECHNOLOGY DETERMINATIONS

Section
 106.920
 106.921
 106.922
 106.923
 106.924
 106.925

Applicability
 Definitions
 Petition
 Response and Reply
 Notice and Hearing
 Opinion and Order

SUBPART J: CULPABILITY DETERMINATIONS

Section
 106.930
 106.931
 106.932
 106.933
 106.934

Applicability
 Petition for Review
 Response and Reply
 Notice and Hearing
 Opinion and Order

APPENDIX A Old Rule Numbers Referenced

AUTHORITY: Implementing Sections 5, 14.2(c), 22.4, 27, 28, 28.1, 28.5 and 39.5 and authorized by Sections 26 and 39.5 of the Environmental Protection Act [415 ILCS 5/5, 14.2(c), 22.4, 27, 28, 28.1, 28.5, 26 and 39.5]

SOURCE: Filed with Secretary of State January 1, 1978; amended at 4 Ill. Reg.

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2, p. 186, effective December 27, 1979; codified at 6 Ill. Reg. 835/7; amended in R85-22 at 10 Ill. Reg. 992, effective February 2, 1986; amended in R86-46 at 11 Ill. Reg. 13457, effective August 4, 1987; amended in R82-1 at 12 Ill. Reg. 12484, effective July, 13, 1988; amended in R88-10 at 12 Ill. Reg. 12817, effective July 21, 1988; amended in R88-5(A) at 13 Ill. Reg. 12094, effective July 10, 1989; amended in R88-5(B) at 14 Ill. Reg. 9442, effective June 5, 1990; amended in R93-24 at 18 Ill. Reg. 4230, effective March 8, 1994; amended at 18 Ill. Reg. _____, effective _____.

SUBPART J: CULPABILITY DETERMINATIONS

Section 106.930 Applicability

The provisions of this Subpart shall apply to any appeal initiated by an owner or operator of a source pursuant to a finding of culpability by the Illinois Environmental Protection Agency (Agency) under 35 Ill. Adm. Code 212.702.

(Source: Added at 18 Ill. Reg. _____, effective _____)

Section 106.931 Petition for Review

- a) A proceeding brought under this Subpart shall be commenced by the owner or operator of a source by filing the original and nine copies of a petition for review with the Clerk of the Pollution Control Board (Board). The petitioner shall serve upon the Agency one copy of the petition for review.
- b) General filing and practice rules are set forth in 35 Ill. Adm. Code 101.
- c) A petition for review filed pursuant to this Subpart shall include, but need not be limited to:
- 1) A copy of the letter, or other written communication, setting forth the Agency's finding of culpability;
 - 2) A clear identification of the county in which the source is located; and
 - 3) A detailed description of, and justification for, the source's position that the Agency's finding of culpability is incorrect.

(Source: Added at 18 Ill. Reg. _____, effective _____)

Section 106.932 Response and Reply

- a) The Agency shall file a response to a petition appealing a determination of culpability within 21 days after service of the petition.
- b) The Agency's response shall contain, at a minimum, the basis of its determination of the petitioner's culpability, including any meteorological, monitoring, or sampling data upon which the

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determination was made.

- c) The petitioner may file a reply within 7 days after the service of any response by the Agency.

(Source: Added at 18 Ill. Reg. _____, effective _____)

Section 106.933 Notice and Hearing

- a) Within 14 days after a petition is filed, the Agency shall publish notice of such petition in a newspaper of general circulation in the county in which the source is located. Within 30 days after the filing of the petition, any person may file with the Clerk of the Board a request for hearing on the petition.
- b) The hearing officer will schedule any hearing. The Clerk of the Board shall give notice of the hearing in accordance with 35 Ill. Adm. Code 103. The proceeding shall be conducted in accordance with 35 Ill. Adm. Code 103.
- c) The burden of proof in appeals pursuant to this Subpart is on the petitioner.

(Source: Added at 18 Ill. Reg. _____, effective _____)

Section 106.934 Opinion and Order

The Board will issue a written opinion and order that sets forth the Board's decision and supporting rationale.

(Source: Added at 18 Ill. Reg. _____, effective _____)

POLLUTION CONTROL BOARD

NOTICE OF ADOPTED AMENDMENTS

1) Heading of the Part:Visible and Particulate Matter Emissions

2) The Code Citation: 35 Ill. Adm. Code 212

3) Section Number: Adopted Action:

212.113	amended
212.700	new
212.701	new
212.702	new
212.703	new
212.704	new
212.705	new

4) Statutory Authority: 415 ILCS 5/27 and 28.5

5) Effective Date of Rule(s) (Amendments, Repealer):

6) Does this rulemaking contain an automatic repeal date? No.

7) Does this rule (amendment, repealer) contain incorporations by reference? No.

8) Date Filed in Agency's Principal Office: June 23, 1994

9) Notice(s) of Proposal Published in Illinois Register: 18 Ill. Reg. 967, January 28, 1994.

10) Has JCAR issued a Statement of Objections to this rule? No.

11) Difference(s) between proposal and final version: Differences between the proposal and the final adopted rules are indicated below by highlighting, with appropriate underlining and strikeouts included within that highlighting:

SUBPART U: ADDITIONAL CONTROL MEASURES

Section 212.700 Applicability

a) This Subpart shall apply to those sources in the areas designated in and subject to Sections 212.324(a)(1) or 212.423(a) and that have actual annual source-wide emissions of PM-10 of at least fifteen (15) tons per year.

b) A source's actual annual source-wide emissions of PM-10 shall be the total of its fugitive emissions and its stack emissions

POLLUTION CONTROL BOARD

NOTICE OF ADOPTED AMENDMENTS

from process emission units and fuel combustion emission units and as set forth in the source's Annual Emissions Report submitted pursuant to 35 Ill. Adm. Code 254 or, for a newly-constructed source or emission unit, the estimated emissions included in the permit application.

(Source: Added at 18 Ill. Reg. _____, effective _____)

Section 212.701 Contingency Measure Plans, Submittal and Compliance Date

a) Those sources subject to this Subpart shall prepare contingency measure plans reflecting the PM-10 emission reductions set forth in Section 212.703 of this Subpart. These plans shall become federally enforceable permit conditions. Such plans shall be submitted to the Agency by November 15, 1994. Notwithstanding the foregoing, sources that become subject to the provisions of this Subpart after July 1, 1994, shall submit a contingency measure plan to the Agency for review and approval within ninety (90) days after the date such source or sources became subject to the provisions of this Subpart or by November 15, 1994, whichever is later. The Agency shall notify those sources requiring contingency measure plans, based on the Agency's current information; however, the Agency's failure to notify any source of its requirement to submit contingency measure plans shall not be a defense to a violation of this Subpart and shall not relieve the source of its obligation to timely submit a contingency measure plan.

b) If the Agency disapproves the initial submittal of a contingency measure plan or a source fails to revise a plan so that it is approvable, the Agency shall so notify the source in writing and the source may treat such notice as a permit denial.

c) Sources having operational changes subject to Sections 212.304, 212.305, 212.306, 212.308, 212.316(a) through (e), 212.424 or 212.464 which require either a new permit or a revision to an existing permit, shall, within 30 days of such changes, submit a request to modify its permit in order to include a new, appropriate contingency measure plan. Such new plan shall be subject to the requirements of this Subpart.

d) A source may, consistent with the requirements of this Subpart and any applicable permitting requirements, propose revisions to its contingency measure plan.

(Source: Added at 18 Ill. Reg. _____, effective _____)

Section 212.702 Determination of Contributing Sources

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a) If the review of monitoring data reveals an exceedance of the 24-hour ambient air quality standard for PM-10 found at 35 Ill. Adm. Code 212.120, the Agency shall attempt to determine the source or sources causing or contributing to the exceedance.

b) In determining whether a source has caused or contributed to an exceedance of the 24-hour ambient air quality standard for PM-10, the Agency may take whatever steps are necessary to determine which source or sources are culpable for the exceedance, including, but not limited to:

1) Evaluating whether the exceedance can be classified as an "exceptional event" pursuant to the "Guideline on the Identification and Use of Air Quality Data Affected by Exceptional Events," incorporated by reference in Section 212.113 of this Part;

2) Reviewing operating records of the source or sources identified pursuant to subsections (b)(3) and (b)(4) below to determine whether any source or sources so identified experienced a malfunction or breakdown or violated any term or condition of its operating permit which contributed to the exceedance;

3) Evaluating the monitoring equipment filter evidencing the exceedance to determine the types of sources that contributed to the exceedance; and

4) Evaluating meteorological data and conducting dispersion analyses pursuant to the "Guideline on Air Quality Models (Revised)," incorporated by reference in Section 212.113 of this Part, to determine which source or sources caused or contributed to the exceedance.

c) If the Agency determines that the exceedance can be classified as an exceptional event, the Agency shall make a written request to USEPA to void the exceedance. If the exceedance has been caused by an "exceptional event," the Agency shall make no requests upon any source for Level I or Level II controls pursuant to Section 212.704(a) or (b) of this Subpart until such time as USEPA has denied the Agency's request to void the exceedance or until an additional exceedance of the 24-hour ambient air quality standard which is not due to an exceptional event, as determined by the Agency, has been monitored for the same area.

d) If the Agency determines that the exceedance was due to a malfunction or breakdown or violation of any term or condition of a source's operating permit, the Agency shall contact such

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source and may pursue appropriate action under 35 Ill. Adm. Code 103.

e) The Agency's determination of culpability of a source is appealable to the Board pursuant to the procedures set forth at 35 Ill. Adm. Code 106 Subpart J.

(Source: Added at 18 Ill. Reg. _____, effective _____)

Section 212.703 Contingency Measure Plan Elements

a) All sources subject to this Subpart shall submit a contingency measure plan. The contingency measure plan shall contain two levels of control measures:

- 1) Level I measures are measures that will reduce total annual source-wide fugitive emissions of PM-10 subject to control under Sections 212.304, 212.305, 212.306, 212.308, 212.316(a) through (e), 212.424 or 212.464 by at least 15%.
- 2) Level II measures are measures that will reduce total actual annual source-wide fugitive emissions of PM-10 subject to control under Sections 212.304, 212.305, 212.306, 212.308, 212.316(a) through (e), 212.424 or 212.464 by at least 25%.

b) A source may elect to demonstrate compliance with this Subpart by submitting through an alternative compliance plan that provides for reductions in emissions equal to the level of reduction of fugitive emissions as required at subsection (a) above and which has been approved by the Agency and USEPA as federally enforceable permit conditions. If a source elects to include controls on process emission units, fuel combustion emission units, or other fugitive emissions of PM-10 not subject to Sections 212.304, 212.305, 212.306, 212.308, 212.316(a) through (e), 212.424 or 212.464 at the source in its alternative control plan, the plan must include a reasonable schedule for implementation of such controls, not to exceed two (2) years. This implementation schedule is subject to Agency review and approval.

(Source: Added at 18 Ill. Reg. _____, effective _____)

Section 212.704 Implementation

a) Following any exceedance of the 24-hour ambient air quality standard for PM-10, the Agency shall notify the source or sources the Agency has identified as likely to be causing or

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contributing to an exceedance detected by monitoring. Within ninety (90) days of receipt of such notification, each source so notified may implement Level I or Level II measures, as determined pursuant to subsection (d)(1) below.

- b) If there is a violation of the ambient air quality standard for PM-10 as determined in accordance with 40 CFR Part 50, Appendix K, incorporated by reference in Section 212.113 of this Part, the Agency shall notify the source or sources the Agency has identified as likely to be causing or contributing to one or more of the exceedances leading to such violation, and such source or sources shall implement Level I or Level II measures, as determined pursuant to subsection (d)(2)(e) below. The source or sources so identified shall implement such measures corresponding to fugitive emissions within ninety (90) days of receipt of such notification and shall implement such measures corresponding to any nonfugitive emissions according to the approved schedule set forth in such source's alternative control plan. Any source identified as causing or contributing to a violation of the ambient air quality standard for PM-10 may appeal any finding of culpability by the Agency to the Board pursuant to Subpart J of 35 Ill Adm. Code 106. Subpart J.

- c) Upon the finding of a failure to attain by the Administrator of USEPA, the Agency shall notify all sources in the applicable area required to submit contingency measure plans pursuant to Section 212.700 of this Subpart of such finding by the Administrator; however, the Agency's failure to notify a source of its requirement to implement its contingency measure plan because of the Administrator's finding of a failure to attain shall not be a defense to a violation of this Subpart and shall not relieve the source of its obligation to timely comply with this Section. All such sources subject to this Subpart shall, within ninety (90) sixty (60) days of receipt of such notification, implement any Level II measures corresponding to fugitive emissions subject to control under Sections 212.304, 212.305, 212.306, 212.308, 212.316(a) through (e), 212.424 or 212.464 and shall implement any Level II measures corresponding to any nonfugitive emissions of PM-10 according to the approved schedule set forth in such source's alternative control plan, unless such corresponding Level II controls have been previously implemented by such source or sources pursuant to subsection (a) or (b) above.

- d) The Agency shall request that sources comply with the Level I or Level II measures of their contingency measure plans pursuant to subsection (a) above as follows:

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- 1) Level I measures shall be requested when the magnitude of the monitored exceedance at a given air quality monitor is less than or equal to 170 ug/m³.
- 2) Level II measures shall be requested when the magnitude of the monitored exceedance at a given air quality monitor exceeds 170 ug/m³.
- e) The Agency shall require that sources comply with the Level I or Level II measures of their contingency measure plans pursuant to subsection (b) above as follows:

- 1) Level I measures shall be required when the design value of a violation of the 24-hour ambient air quality standard, as computed pursuant to 40 CFR 50, Appendix K, incorporated by reference in Section 212.113 of this Part, is less than or equal to 170 ug/m³.

- 2) Level II measures shall be required when the design value of a violation of the 24-hour ambient air quality standard, as computed pursuant to 40 CFR 50, Appendix K, incorporated by reference in Section 212.113 of this Part, exceeds 170 ug/m³.

(Source: Added at 18 Ill. Reg. ___, effective ___.)

Section 212.705 Alternative Implementation

Should the Agency determine that more than one source has caused or contributed to the implementation is a contributing source pursuant to Section 212.702 of this Subpart, the Agency may accept controls from fewer than all of the sources identified as culpable where greater than the required levels of control for all culpable sources are achieved at some of the culpable sources.

- a) For the purposes of this Section, an "identified source" is a source determined to be culpable for an exceedance of the 24-hour ambient air quality standard.
- b) For the purposes of this Section, a "participating source" is another source that is also identified as culpable by the Agency for the monitored exceedance.
- c) For the purposes of this Section, "equivalent air quality benefits" shall be determined by conducting one or more dispersion analyses in accordance with the "Guideline on Air Quality Models (revised)," incorporated by reference in Section 212.113 of this Part.

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d) An identified source may elect to achieve compliance with the provisions of this Subpart by obtaining equivalent air quality benefits from PM-10 emissions reductions by a participating source as would be achieved at the identified source, provided, however, that the PM-10 emissions reductions to be achieved by the participating source under this Section are in addition to any other obligation it may have under this Subpart to reduce PM-10 emissions.

e) If an identified source elects to rely on this Section to demonstrate compliance with this Subpart, the identified source must:

1) Demonstrate to the Agency that it will achieve equivalent air quality benefits from PM-10 emission reductions at the participating source as would be achieved from the identified source subject to this Subpart;

2) The PM-10 emissions reductions from the participating source that the identified source is relying upon to demonstrate compliance with this Subpart must be reflected as federally enforceable permit conditions of the participating source's permit;

3) The participating source implements any emissions reductions for fugitive emissions of PM-10 within ninety (90) days after the identified source would have been required to implement Level I or Level II measures pursuant to this Subpart; and

4) The participating source submits a reasonable schedule for implementation of any PM-10 emission reductions from controls on process emission units, fuel combustion emission units, or other fugitive emissions of PM-10 at the participating source not subject to control under Sections 212.304, 212.305, 212.306, 212.308, 212.316(a) through (e), 212.424 or 212.464, not to exceed two (2) years from the date of notification to the identified source that Level I or Level II measures, as appropriate, are required.

(Source: Added at 18 Ill. Reg. _____, effective _____)

12, Have all the changes agreed upon by the Agency and JCAR been made as indicated in the agreement letter issued by JCAR? Yes.

13) Will this rule (amendments, repealer) replace an emergency rule currently in effect? No.

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14) Are there any amendments pending on this Part? No.

15) Summary and Purpose of Rule(s): The rules address contingency measures for particulate matter (PM10) nonattainment areas in the event there is a finding by the Administrator of USEPA of failure to attain the National Ambient Air Quality Standard (NAAQS) for PM10 or there is a violation of the NAAQS for PM10, as required by Section 172 (c)(9) of the Clean Air Act (42 U.S.C. < 7401 et seq.)

16) Information and questions regarding this adopted rule shall be directed to:

Elizabeth Schroer Harvey
Illinois Pollution Control Board
100 W. Randolph Street, Suite 11-500
Chicago, IL 60601
312/814-6921

The full text of the adopted rule(s) begins on the following page:

POLLUTION CONTROL BOARD
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TITLE 35: ENVIRONMENTAL PROTECTION
SUBTITLE B: AIR POLLUTION
CHAPTER I: POLLUTION CONTROL BOARD
SUBCHAPTER C: EMISSION STANDARDS AND LIMITATIONS
FOR STATIONARY SOURCES

PART 212
VISIBLE AND PARTICULATE MATTER EMISSIONS

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|---------|--|
| Section | Scope and Organization |
| 212.100 | Measurement Method for Visible Emissions |
| 212.107 | Measurement Methods for PM-10 Emissions |
| 212.108 | Measurement Methods for Opacity |
| 212.109 | Measurement Methods For Particulate Matter |
| 212.110 | Abbreviations and Units |
| 212.111 | Definitions |
| 212.112 | Incorporations by Reference |
| 212.113 | |

SUBPART B: VISIBLE EMISSIONS

- | | |
|---------|---------------------------------------|
| Section | Opacity Standards |
| 212.121 | Limitations for Certain New Sources |
| 212.122 | Limitations for All Other Sources |
| 212.123 | Exceptions |
| 212.124 | Determination of Violations |
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| 212.126 | |

SUBPART D: PARTICULATE MATTER EMISSIONS FROM INCINERATORS

- | | |
|---------|---|
| Section | Limitations for Incinerators |
| 212.181 | Aqueous Waste Incinerators |
| 212.182 | Certain Wood Waste Incinerators |
| 212.183 | Explosive Waste Incinerators |
| 212.184 | Continuous Automatic Stoking Animal Pathological Waste Incinerators |
| 212.185 | |

SUBPART E: PARTICULATE MATTER EMISSIONS FROM
FUEL COMBUSTION EMISSION SOURCES

- | | | |
|---------|-----------------------------------|--|
| Section | Existing Sources Using Solid Fuel | Exclusively Located in the Chicago Area |
| 212.201 | Existing Sources Using Solid Fuel | Exclusively Located Outside the Chicago Area |
| 212.202 | | |

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212.203 Existing Controlled Sources Using Solid Fuel Exclusively
 212.204 New Sources Using Solid Fuel Exclusively
 212.205 Existing Coal-fired Industrial Boilers Equipped with Flue Gas Desulfurization Systems
 212.206 Sources Using Liquid Fuel Exclusively
 212.207 Sources Using More Than One Type of Fuel
 212.208 Aggregation of Existing Sources
 212.209 Village of Winnetka Generating Station
 212.210 Emissions Limitations for Certain Fuel Combustion Sources Located in the Vicinity of Granite City

212.381 Catalyst Regenerators of Fluidized Catalytic Converters

SUBPART O: STONE, CLAY, GLASS
AND CONCRETE MANUFACTURING

Section
 212.421 New Portland Cement Processes
 212.422 Portland Cement Manufacturing Processes
 212.423 Emission Limits for the Portland Cement Manufacturing Plant Located in LaSalle County, South of the Illinois River
 212.424 Fugitive Particulate Matter Control for the Portland Cement Manufacturing Plant and Associated Quarry Operations Located in LaSalle County, South of the Illinois River
 212.425 Sources in Certain Areas

SUBPART K: FUGITIVE PARTICULATE MATTER

Section
 212.301 Fugitive Particulate Matter
 212.302 Geographical Areas of Application
 212.304 Storage Piles
 212.305 Conveyor Loading Operations
 212.306 Traffic Areas
 212.307 Materials Collected by Pollution Control Equipment
 212.308 Spraying or Choke-Feeding Required
 212.309 Operating Program
 212.310 Minimum Operating Program
 212.312 Amendment to Operating Program
 212.313 Emission Standard for Particulate Collection Equipment
 212.314 Exception for Excess Wind Speed
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SUBPART L: PARTICULATE MATTER EMISSIONS
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Section
 212.321 New Process Sources
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Section
 212.361 Corn Wet Milling Processes
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SUBPART O: PETROLEUM REFINING, PETROCHEMICAL
AND CHEMICAL MANUFACTURING

Section

212.681

Grinding, Woodworking, Sandblasting and Shotblasting

SUBPART T: CONSTRUCTION AND WOOD PRODUCTS

SUBPART S: AGRICULTURE

Grain Handling and Drying in General
 Grain Handling Operations
 Grain Drying Operations
 Sources in Certain Areas

SUBPART R: PRIMARY AND FABRICATED METAL
PRODUCTS AND MACHINERY MANUFACTURE

Section
 212.441 Steel Manufacturing Processes
 212.442 Beehive Coke Ovens
 212.443 Coke Plants
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 212.445 Blast Furnace Cast Houses
 212.446 Basic Oxygen Furnaces
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 212.448 Electric Arc Furnaces
 212.449 Argon-Oxygen Decarburization Vessels
 212.450 Liquid Steel Charging
 212.451 Hot Scarfing Machines
 212.452 Measurement Methods
 212.455 Highlines on Steel Mills
 212.456 Certain Small Foundries
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SUBPART U: ADDITIONAL CONTROL MEASURES

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212.700	Contingency Measure Plans, Submittal and Compliance Date
212.701	Determination of Contributing Sources
212.702	Contingency Measure Plan Elements
212.703	Implementation
212.704	Alternative Implementation
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APPENDIX A	Rule into Section Table
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ILLUSTRATION D	McCook Vicinity Map
ILLUSTRATION E	Lake Calumet Vicinity Map
ILLUSTRATION F	Granite City Vicinity Map

AUTHORITY: Implementing Section 10 and authorized by Section 27 of the Environmental Protection Act (Ill. Rev. Stat. 1991, ch. 111 1/2, pars. 1010 and 1027) [415 ILCS 5/10, 27 and 28.5].

SOURCE: Adopted as Chapter 2: Air Pollution, Rules 202 and 203: Visual and Particulate Emission Standards and Limitations, R71-23, 4 PCB 191, filed and effective April 14, 1972; amended in R77-15, 32 PCB 403, at 3 Ill. Reg. 5, p. 798, effective February 3, 1979; amended in R78-10, 35 PCB 347, at 3 Ill. Reg. 39, p. 184, effective September 28, 1979; amended in R78-11, 35 PCB 505, at 3 Ill. Reg. 45, p. 100, effective October 26, 1979; amended in R78-9, 38 PCB 411, at 4 Ill. Reg. 24, p. 514, effective June 4, 1980; amended in R79-11, 43 PCB 481, at 5 Ill. Reg. 11590, effective October 19, 1981; codified at 7 Ill. Reg. 13591; amended in R82-1 (Docket A) at 10 Ill. Reg. 12637, effective July 9, 1986; amended in R85-33 at 10 Ill. Reg. 18030, effective October 7, 1986; amended in R84-48 at 11 Ill. Reg. 691, effective December 18, 1986; amended in R84-42 at 11 Ill. Reg. 1410, effective December 30, 1986; amended in R82-1 (Docket B) at 12 Ill. Reg. 12492, effective July 13, 1988; amended in R91-6 at 15 Ill. Reg. 15708, effective October 14, 1991; amended in R89-7(B) at 15 Ill. Reg. 17710, effective November 26, 1991; amended in R91-22 at 16 Ill. Reg. 7880, effective May 11, 1992; amended in R91-35 at 16 Ill. Reg. 8204, effective May 15, 1992; amended in R93-30 at 18 Ill. Reg. _____, effective _____.

SUBPART A: GENERAL

Section 212.113 Incorporations by Reference

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The following materials are incorporated by reference. These incorporations do not include any later amendments or editions.

- a) Ringlemann Chart, Information Circular 833 (Revision of IC7718), Bureau of Mines, U.S. Department of Interior, May 1, 1967.
- b) 40 CFR 60, Appendix A (1991):
 - 1) Method 1: Sample and Velocity Traverses for Stationary Sources;
 - 2) Method 1A: Sample and Velocity Traverses for Stationary Source with Small Stacks or Ducts;
 - 3) Method 2: Determination of Stack Gas Velocity and Volumetric Flow Rate (Type S pitot tube);
 - 4) Method 2A: Direct Measurement of Gas Volume Through Pipes and Small Ducts;
 - 5) Method 2C: Determination of Stack Gas Velocity and Volumetric Flow Rate in Small Stacks or Ducts (Standard Pitot Tube);
 - 6) Method 2D: Measurement of Gas Volumetric Flow Rates in Small Pipes and Ducts;
 - 7) Method 3: Gas Analysis for Carbon Dioxide, Oxygen, Excess Air, and Dry Molecular Weight;
 - 8) Method 4: Determination of Moisture Content in Stack Gases;
 - 9) Method 5: Determination of Particulate Emissions From Stationary Sources;
 - 10) Method 5A: Determination of Particulate Emissions From the Asphalt Processing and Asphalt Roofing Industry;
 - 11) Method 5D: Determination of Particulate Matter Emissions From Positive Pressure Fabric Filters;
 - 12) Method 5E: Determination of Particulate Emissions From the Wool Fiberglass Insulation Manufacturing Industry;
 - 13) Method 9: Visual Determination of the Opacity of Emissions from Stationary Sources;
 - 14) Method 22: Visual Determination of Fugitive Emissions from Material Sources and Smoke Emissions from Flares.
- c) 40 CFR 51 Appendix M (1990):
 - 1) Method 201: Determination of PM-10 Emissions;
 - 2) Method 201A: Determination of PM-10 Emissions (Constant Sampling Rate Procedure).
- d) 40 CFR 60.672(b), (c), (d) and (e) (1991).
- e) 40 CFR 60.675(c) and (d) (1991).
- f) ASAE Standard 248.2, Section 9, Basis for Stating Drying Capacity of Batch and Continuous-Flow Grain Dryers, American Society of Agricultural Engineers, 2950 Niles Road, St. Joseph, MI 49085.
- g) U.S. Sieve Series, ASTM-E11, American Society of Testing Materials, 1916 Race Street, Philadelphia, PA 19103.
- h) 55 Fed. Reg. 41546 (October 12, 1990), Method 202: Determination of Condensible Particulate Emission from Stationary Sources.
- i) Standard Methods for the Examination of Water and Wastewater, Section 209C, "Total Filtrable Residue Dried at 103-105° C," 15th Edition, 1980, American Public Health Association, 1015 Fifteenth Street, N.W., Washington, D.C. 20005.

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- i) "Guideline on the Identification and Use of Air Quality Data Affected by Exceptional Events," U.S. Environmental Protection Agency, Office of Air and Radiation, Office of Air Quality Planning and Standards Monitoring and Data Analysis Division, Research Triangle Park, N.C. 27711, EPA-450/4-86-007 July 1986.
- k) "Guideline on Air Quality Models (Revised)," U.S. Environmental Protection Agency, Office of Air Quality Planning and Standards, Research Triangle Park, N.C. 27711, EPA-450/2-78-027R July 1986.
- l) 40 CFR 50, Appendix K (1992), "Interpretation of the National Ambient Air Quality Standard for Particulate Matter".

(Source: Amended at 18 Ill. Reg. _____, effective _____)

SUBPART U: ADDITIONAL CONTROL MEASURES

Section 212.700 Applicability

- a) This Subpart shall apply to those sources in the areas designated in and subject to Sections 212.324(a)(1) or 212.423(a) and that have actual annual source-wide emissions of PM-10 of at least fifteen (15) tons per year.
- b) A source's actual annual source-wide emissions of PM-10 shall be the total of its fugitive emissions and its stack emissions from process emission units and fuel combustion emission units and as set forth in the source's Annual Emissions Report submitted pursuant to 35 Ill. Adm. Code 254 or, for a newly-constructed source or emission unit, the estimated emissions included in the permit application.

(Source: Added at 18 Ill. Reg. _____, effective _____)

Section 212.701 Contingency Measure Plans, Submittal and Compliance Date

- a) Those sources subject to this Subpart shall prepare contingency measure plans reflecting the PM-10 emission reductions set forth in Section 212.703 of this Subpart. These plans shall become federally enforceable permit conditions. Such plans shall be submitted to the Agency by November 15, 1994. Notwithstanding the foregoing, sources that become subject to the provisions of this Subpart after July 1, 1994, shall submit a contingency measure plan to the Agency for review and approval within ninety (90) days after the date such source or sources became subject to the provisions of this Subpart or by November 15, 1994, whichever is later. The Agency shall notify those sources requiring contingency measure plans, based on the Agency's current information; however, the Agency's failure to notify any source of its requirement to submit contingency measure plans shall not be a defense to a violation of this Subpart and shall not relieve

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the source of its obligation to timely submit a contingency measure plan.

- b) If the Agency disapproves the initial submittal of a contingency measure plan or a source fails to revise a plan so that it is approvable, the Agency shall so notify the source in writing and the source may treat such notice as a permit denial.
- c) Sources having operational changes subject to Sections 212.304, 212.305, 212.306, 212.308, 212.316(a) through (e), 212.424 or 212.464 which require either a new permit or a revision to an existing permit shall, within 30 days after such changes, submit a request to modify its permit in order to include a new, appropriate contingency measure plan. Such new plan shall be subject to the requirements of this Subpart.
- d) A source may, consistent with the requirements of this Subpart and any applicable permitting requirements, propose revisions to its contingency measure plan.

(Source: Added at 18 Ill. Reg. _____, effective _____)

Section 212.702 Determination of Contributing Sources

- a) If the review of monitoring data reveals an exceedance of the 24-hour ambient air quality standard for PM-10 found at 35 Ill. Adm. Code 243.120, the Agency shall attempt to determine the source or sources causing or contributing to the exceedance.
- b) In determining whether a source has caused or contributed to an exceedance of the 24-hour ambient air quality standard for PM-10, the Agency may take whatever steps are necessary to determine which source or sources are culpable for the exceedance, including, but not limited to:
- 1) Evaluating whether the exceedance can be classified as an "exceptional event" pursuant to the "Guideline on the Identification and Use of Air Quality Data Affected by Exceptional Events," incorporated by reference in Section 212.113 of this Part;
 - 2) Reviewing operating records of the source or sources identified pursuant to subsections (b)(3) and (b)(4) below to determine whether any source or sources so identified experienced a malfunction or breakdown or violated any term or condition of its operating permit which contributed to the exceedance;
 - 3) Evaluating the monitoring equipment filter evidencing the exceedance to determine the types of sources that contributed to the exceedance; and
 - 4) Evaluating meteorological data and conducting dispersion analyses pursuant to the "Guideline on Air Quality Models (Revised)," incorporated by reference in Section 212.113 of this Part, to determine which source or sources caused or contributed to the

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exceedence.

- c) If the Agency determines that the exceedence can be classified as an exceptional event, the Agency shall make a written request to USEPA to void the exceedence. If the exceedence has been caused by an "exceptional event," the Agency shall make no requests upon any source for Level I or Level II controls pursuant to Section 212.704(a) or (b) of this Subpart until such time as USEPA has denied the Agency's request to void the exceedence or until an additional exceedence of the 24-hour ambient air quality standard which is not due to an exceptional event, as determined by the Agency, has been monitored for the same area.
- d) If the Agency determines that the exceedence was due to a malfunction or breakdown or violation of any term or condition of a source's operating permit, the Agency shall contact such source and may pursue appropriate action under 35 Ill. Adm. Code 103.
- e) The Agency's determination of culpability of a source is appealable to the Board pursuant to the procedures set forth at 35 Ill. Adm. Code 106, Subpart J.

(Source: Added at 18 Ill. Reg. _____, effective _____.)

Section 212.703 Contingency Measure Plan Elements

- a) All sources subject to this Subpart shall submit a contingency measure plan. The contingency measure plan shall contain two levels of control measures:
- 1) Level I measures are measures that will reduce total actual annual source-wide fugitive emissions of PM-10 subject to control under Sections 212.304, 212.305, 212.306, 212.308, 212.316(a) through (e), 212.424 or 212.464 by at least 15%.
 - 2) Level II measures are measures that will reduce total actual annual source-wide fugitive emissions of PM-10 subject to control under Sections 212.304, 212.305, 212.306, 212.308, 212.316(a) through (e), 212.424 or 212.464 by at least 25%.
- b) A source may comply with this Subpart through an alternative compliance plan that provides for reductions in emissions equal to the level of reduction of fugitive emissions as required at subsection (a) above and which has been approved by the Agency and USEPA as federally enforceable permit conditions. If a source elects to include controls on process emission units, fuel combustion emission units, or other fugitive emissions of PM-10 not subject to Sections 212.304, 212.305, 212.306, 212.308, 212.316(a) through (e), 212.424 or 212.464 at the source in its alternative control plan, the plan must include a reasonable schedule for implementation of such controls, not to exceed two (2) years. This implementation schedule is subject to Agency review and approval.

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(Source: Added at 18 Ill. Reg. _____, effective _____.)

Section 212.704 Implementation

- a) Following any exceedence of the 24-hour ambient air quality standard for PM-10, the Agency shall notify the source or sources the Agency has identified as likely to be causing or contributing to an exceedence detected by monitoring. Within ninety (90) days after receipt of such notification, each source so notified may implement Level I or Level II measures, as determined pursuant to subsection (d) below.
- b) If there is a violation of the ambient air quality standard for PM-10 as determined in accordance with 40 CFR Part 50, Appendix K, incorporated by reference in Section 212.113 of this Part, the Agency shall notify the source or sources the Agency has identified as likely to be causing or contributing to one or more of the exceedences leading to such violation, and such source or sources shall implement Level I or Level II measures, as determined pursuant to subsection (e) below. The source or sources so identified shall implement such measures corresponding to fugitive emissions within ninety (90) days after receipt of such notification and shall implement such measures corresponding to any nonfugitive emissions according to the approved schedule set forth in such source's alternative control plan. Any source identified as causing or contributing to a violation of the ambient air quality standard for PM-10 may appeal any finding of culpability by the Agency to the Board pursuant to 35 Ill. Adm. Code 106, Subpart J.
- c) Upon the finding of a failure to attain by the Administrator of USEPA, the Agency shall notify all sources in the applicable area required to submit contingency measure plans pursuant to Section 212.700 of this Subpart of such finding by the Administrator; however, the Agency's failure to notify a source of its requirement to implement its contingency measure plan because of the Administrator's finding of a failure to attain shall not be a defense to a violation of this Subpart and shall not relieve the source of its obligation to timely comply with this Section. All such sources subject to this Subpart shall, within sixty (60) days after receipt of such notification, implement any Level II measures corresponding to fugitive emissions subject to control under Sections 212.304, 212.305, 212.306, 212.308, 212.316(a) through (e), 212.424 or 212.464 and shall implement any Level II measures corresponding to any nonfugitive emissions of PM-10 according to the approved schedule set forth in such source's alternative control plan, unless such corresponding Level II controls have been previously implemented by such source or sources pursuant to subsection (a) or (b) above.
- d) The Agency shall request that sources comply with the Level I or Level II measures of their contingency measure plans, pursuant to subsection

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(a) above, as follows:

- 1) Level I measures shall be requested when the magnitude of the monitored exceedance at a given air quality monitor is less than or equal to 170 ug/m(3).
 - 2) Level II measures shall be requested when the magnitude of the monitored exceedance at a given air quality monitor exceeds 170 ug/m(3).
- e) The Agency shall require that sources comply with the Level I or Level II measures of their contingency measure plans, pursuant to subsection (b) above, as follows:
- 1) Level I measures shall be required when the design value of a violation of the 24-hour ambient air quality standard, as computed pursuant to 40 CFR 50, Appendix K, incorporated by reference in Section 212.113 of this Part, is less than or equal to 170 ug/m(3).
 - 2) Level II measures shall be required when the design value of a violation of the 24-hour ambient air quality standard, as computed pursuant to 40 CFR 50, Appendix K, incorporated by reference in Section 212.113 of this Part, exceeds 170 ug/m(3).

(Source: Added at 18 Ill. Reg. _____, effective _____)

Section 212.705 Alternative Implementation

Should the Agency determine that more than one source is a contributing source pursuant to Section 212.702 of this Subpart, the Agency may accept controls from fewer than all of the sources identified as culpable where greater than the required levels of control for all culpable sources are achieved at some of the culpable sources.

- a) For the purposes of this Section, an "identified source" is a source determined to be culpable for an exceedance of the 24-hour ambient air quality standard.
- b) For the purposes of this Section, a "participating source" is another source that is also identified as culpable by the Agency for the monitored exceedance.
- c) For the purposes of this Section, "equivalent air quality benefits" shall be determined by conducting one or more dispersion analyses in accordance with the "Guideline on Air Quality Models (revised)", incorporated by reference in Section 212.113 of this Part.
- d) An identified source may elect to achieve compliance with the provisions of this Subpart by obtaining equivalent air quality benefits from PM-10 emissions reductions by a participating source as would be achieved at the identified source, provided, however, that the PM-10 emissions reductions to be achieved by the participating source under this Section are in addition to any other obligation it may have under this Subpart to reduce PM-10 emissions.
- e) If an identified source elects to rely on this Section to demonstrate

POLLUTION CONTROL BOARD

NOTICE OF ADOPTED AMENDMENTS

compliance with this Subpart, the identified source must:

- 1) Demonstrate to the Agency that it will achieve equivalent air quality benefits from PM-10 emission reductions at the participating source as would be achieved from the identified source subject to this Subpart;
- 2) The PM-10 emissions reductions from the participating source that the identified source is relying upon to demonstrate compliance with this Subpart must be reflected as federally enforceable permit conditions of the participating source's permit;
- 3) The participating source implements any emissions reductions for fugitive emissions of PM-10 within ninety (90) days after the identified source would have been required to implement Level I or Level II measures pursuant to this Subpart; and
- 4) The participating source submits a reasonable schedule for implementation of any PM-10 emission reductions from controls on process emission units, fuel combustion emission units, or other fugitive emissions of PM-10 at the participating source not subject to control under Sections 212.304, 212.305, 212.306, 212.308, 212.316(a) through (e), 212.424 or 212.464, not to exceed two (2) years from the date of notification to the identified source that Level I or Level II measures, as appropriate, are required.

(Source: Added at 18 Ill. Reg. _____, effective _____)

ILLINOIS RACING BOARD

NOTICE OF ADOPTED AMENDMENTS

1) Heading of the Part: Claiming Rules

2) Code Citation: 11 Ill. Adm. Code 510

3) Section Numbers:
510.200 Proposed Action:
Amendment

4) Statutory Authority: 230 ILCS 5

5) Effective Date of Rule(s): July 7, 1994

6) Does this rulemaking contain an automatic repeal date? No

7) Does this rule contain incorporations by reference? No.

8) Date Filed in Agency's Principal Office: July 7, 1994

9) Notice(s) of Proposal Published in Illinois Register:
18 Ill. Reg. 5500, April 8, 1994

10) Has JCAR issued a Statement of Objections to these rules? No

11) Difference(s) between proposal and final version:
None

12) Have all the changes agreed upon by the agency and JCAR been made as indicated in the agreement letter issued by JCAR?
N/A

13) Will this rule replace an emergency rule currently in effect? No

14) Are there any amendments pending on this Part? No

15) Summary and Purpose of Rule(s):

This rulemaking reduces the number of days during which a claimed harness horse must race at the track at which it was claimed.

16) Information and questions regarding this adopted amendment shall be directed to:

Address: Illinois Racing Board
Legal Department
100 West Randolph, Suite 11-100
Chicago, Illinois 60601

The full text of the Adopted Amendment begins on the next page:

ILLINOIS RACING BOARD

NOTICE OF ADOPTED AMENDMENTS

TITLE 11: ALCOHOL, HORSE RACING, AND LOTTERY

SUBTITLE B: HORSE RACING

CHAPTER I: ILLINOIS RACING BOARD

SUBCHAPTER C: RULES APPLICABLE TO ALL OCCUPATION LICENSEES

PART 510

CLAIMING RACES

Section

510.10	Definition
510.20	Claiming Eligibility
510.30	Form and Deposit of Claim
510.40	Errors which Invalidate Claim
510.50	Refund of Voided Claim
510.60	Prohibited Action with Respect to Claim
510.70	Horses under Lien
510.80	Affadavit May be Required
510.90	Claimant's Responsibility
510.100	Claimed Horse's Certificate
510.110	Engagements of a Claimed Horse
510.120	Protests of a Claim
510.130	Title to a Claimed Horse
510.140	Distribution of the Purse
510.150	Delivery of a Claimed Horse
510.160	Trainer Responsibility for Post-Race Tests
510.170	Excusing Claimed Horse
510.180	Stable Eliminated by Fire or Other Hazard
510.190	Entering Claimed Horse
510.200	Claimed Horse Racing Elsewhere
510.210	Sale of a Claimed Horse
510.220	Illinois Rules Govern Claimed Horse
510.230	Extension of Regular Meeting (Repealed)
510.240	Claiming Authorization

AUTHORITY: Implementing and authorized by the Illinois Horse Racing Act of 1975 [230 ILCS 5].

SOURCE: Adopted at 5 Ill. Reg. 1686, effective February 16, 1981; amended at 5 Ill. Reg. 8300, effective August 5, 1981; codified at 5 Ill. Reg. 10911; amended at 7 Ill. Reg. 2167, effective February 4, 1983; amended at 7 Ill. Reg. 3197, effective March 14, 1983; amended at 8 Ill. Reg. 14992, effective August 6, 1984; amended at 14 Ill. Reg. 17636, effective October 16, 1990; amended at 17 Ill. Reg. 12423, effective July 15, 1993; amended at 17 Ill. Reg. 13612, effective July 30, 1993; amended at 18 Ill. Reg. 2064, effective January 21, 1994; amended at 18 Ill. Reg. _____, effective _____.

Section 510.200 Claimed Horse Racing Elsewhere

No--claimed--horse--shall--race--at--any--other--race--track--until--after--the--close--of

ILLINOIS RACING BOARD

NOTICE OF ADOPTED AMENDMENTS

~~the race meeting at which it was claimed, or for 60 days, whichever is shorter, except to fulfill a stakes engagement or with the express written consent of the racetrack where it was claimed.~~

- a) For harness racing, no claimed horse shall race at any other race track until the close of the race meeting at which it was claimed, or for 30 days, whichever is shorter.
- b) For thoroughbred racing, no claimed horse shall race at any other race track until the close of the race meeting at which it was claimed, or for 60 days, whichever is shorter.
- c) This Section shall not apply when claimed horses are fulfilling a stakes engagement or have the express written consent, of the race track where they were claimed, to race at another location.

(Source: Amended at 18 Ill. Reg. _____, effective _____)

ILLINOIS RACING BOARD

NOTICE OF ADOPTED AMENDMENTS

- 1) Heading of the Part: Clerk of the Scales
- 2) Code Citation: 11 Ill. Adm. Code 1405
- 3) Section Numbers: 1405.100 Proposed Action: Repealed
- 4) Statutory Authority: 230 ILCS 5
- 5) Effective Date of Rule(s): July 7, 1994
- 6) Does this rulemaking contain an automatic repeal date? No
- 7) Does this rule contain incorporations by reference? No.
- 8) Date Filed in Agency's Principal Office: July 7, 1994
- 9) Notice(s) of Proposal Published in Illinois Register: 18 Ill. Reg. 5503, April 8, 1994
- 10) Has JCAR issued a Statement of Objections to these rules? No
- 11) Difference(s) between proposal and final version: None
- 12) Have all the changes agreed upon by the agency and JCAR been made as indicated in the agreement letter issued by JCAR? N/A
- 13) Will this rule replace an emergency rule currently in effect? No
- 14) Are there any amendments pending on this Part? No
- 15) Summary and Purpose of Rule(s):
This rulemaking repeals the restrictions for saddle cloth colors and numbers.
- 16) Information and questions regarding this adopted amendment shall be directed to:

Address: Illinois Racing Board
Legal Department
100 West Randolph, Suite 11-100
Chicago, Illinois 60601

The full text of the Adopted Amendment begins on the next page:

ILLINOIS RACING BOARD

NOTICE OF ADOPTED AMENDMENTS

TITLE 11: ALCOHOL, HORSE RACING, AND LOTTERY

SUBTITLE B: HORSE RACING

CHAPTER I: ILLINOIS RACING BOARD

SUBCHAPTER 9: RULES AND REGULATIONS OF HORSE RACING (THOROUGHBREDS)

PART 1405

CLERK OF THE SCALES

Section

1405.10 Clerk of the Scales

1405.20 Weighing In and Out

1405.30 Overweight Limit

1405.40 Declare Overweight

1405.50 Permission to Dismount

1405.60 Weighing In Regulations

1405.70 Excess Weight After Race

1405.80 Weighing of Equipment

1405.90 Saddle Cloth Numbers

1405.100 Uniform Saddle Cloth Colors and Numbers (Repealed)

1405.110 Change of Jockey

1405.120 Extra or Special Weight

1405.130 Statement of Weight Carried

AUTHORITY: Implementing and authorized by Section 9(b) of the Illinois Horse Racing Act of 1975 [230 ILCS 5/9(b)].

SOURCE: Published in Rules and Regulations of Horse Racing, (original date not cited in publication); codified at 5 Ill. Reg. 10966; amended at 18 Ill. Reg. _____, effective _____.

Section 1405.100 Uniform Saddle Cloth Colors and Numbers (Repealed)

~~Saddle--cloth--colors--and numbers--shall be uniform in all cases, consisting of white numbers on black cloth.~~

(Source: Repealed at 18 Ill. Reg. _____, effective _____)

ILLINOIS RACING BOARD

NOTICE OF ADOPTED AMENDMENTS

1) Heading of the Part: Entries, Subscriptions and Declarations2) Code Citation: 11 Ill. Adm. Code 1413

3) Section Numbers: 1413.150
Proposed Action: Amendment

4) Statutory Authority: 230 ILCS 55) Effective Date of Rule(s): July 7, 19946) Does this rulemaking contain an automatic repeal date? No7) Does this rule contain incorporations by reference? No.8) Date Filed in Agency's Principal Office: July 7, 19949) Notice(s) of Proposal Published in Illinois Register: 18 Ill. Reg. 5505, April 8, 199410) Has JCAR issued a Statement of Objections to these rules? No

11) Difference(s) between proposal and final version:
 In line 99 (Board version), the "1" was removed from "a1".

12) Have all the changes agreed upon by the agency and JCAR been made as indicated in the agreement letter issued by JCAR? No
 N/A

13) Will this rule replace an emergency rule currently in effect? No14) Are there any amendments pending on this Part? No15) Summary and Purpose of Rule(s):

This rulemaking removes the requirement to draw an also eligible list. The amendment allows the track to draw an also eligible list if it chooses and lists requirements for drawing from the also eligible list.

16) Information and questions regarding this adopted amendment shall be directed to:

Name: Illinois Racing Board, Legal Department, 100 West Randolph,
 Address: Suite 11-100, Chicago, Illinois 60601

The full text of the Adopted Amendment begins on the next page:

ILLINOIS RACING BOARD

NOTICE OF ADOPTED AMENDMENTS

TITLE 11: ALCOHOL, HORSE RACING, AND LOTTERY

SUBTITLE B: HORSE RACING

CHAPTER I: ILLINOIS RACING BOARD

SUBCHAPTER 9: RULES AND REGULATIONS OF HORSE RACING (THOROUGHBREDS)

PART 1413

ENTRIES, SUBSCRIPTIONS, AND DECLARATIONS

Section	
1413.10	Registration with Jockey Club
1413.20	Registration Rules
1413.30	Eligibility
1413.40	How Entries are Made
1413.42	Number of Entries
1413.44	48- or 72-Hour Entries
1413.46	Also Eligibles Under 48- or 72-Hour Rule
1413.48	Uncoupled Entries
1413.50	Racing Secretary Receives Entries
1413.60	Supervision of Entries
1413.70	When Entries Close
1413.75	Limitation on Purse Reductions
1413.80	Closing in Absence of Conditions
1413.90	Entry by Telegraph
1413.100	List of Entries
1413.114	Coupled As Entry
1413.118	Further Definition of Coupling
1413.120	Riders Designated
1413.130	Carding Purse and Handicap Races
1413.134	Race Fails to Fill
1413.138	Substitute and Extra Races
1413.140	Right to Declare Out
1413.150	Number of Entries
1413.160	Fee to Enter
1413.170	Refunds
1413.180	Error in Entry
1413.190	Irrevocable Declaration
1413.200	Notice of Declaration
1413.210	Entry of Unfit Horse
1413.220	Refusal for Inconsistency
1413.230	Horse Ineligible
1413.240	Who May Enter
1413.250	Medical Reasons for Ineligibility
1413.260	Sweepstakes Entries
1413.265	Receipt for Nomination
1413.270	Previous Engagements
1413.280	Transfer of Engagements
1413.290	Transfer of Sweepstakes Engagements
1413.300	Jockey Club Certificates
1413.305	Transfer of Jockey Club Certificate

ILLINOIS RACING BOARD

NOTICE OF ADOPTED AMENDMENTS

1413.310 Number of Races in a Day

AUTHORITY: Implementing and authorized by Section 9(b) of the Illinois Horse Racing Act of 1975 [230 ILCS 5/9(b)].

SOURCE: Published in Rules and Regulations of Horse Racing, (original date not cited in publication); passed July 11, 1972; amended April 11, 1974, filed and effective April 30, 1974; passed June 11, 1974 amended July 12, 1974, filed and effective July 22, 1974; amended August 13, 1974, filed August 19, 1974; amended August 15, 1975, filed August 20, 1975; amended September 19, 1975, filed October 2, 1975; amended June 19, 1976; amended July 16, 1976, filed July 23, 1976; added August 21, 1976, filed August 30, 1976; amended April 26, 1977, filed May 6, 1977; amended 4 Ill. Reg. 9, p. 251, effective February 20, 1980; amended at 5 Ill. Reg. 8911, effective August 25, 1981; codified at 5 Ill. Reg. 10981; amended at 15 Ill. Reg. 2730, effective February 5, 1991; amended at 17 Ill. Reg. 1628, effective January 26, 1993; amended at 17 Ill. Reg. 21848, effective December 3, 1993; amended at 18 Ill. Reg. _____, effective _____.

Section 1413.150 Number of Entries

A list of names not to exceed six shall may be drawn from the overflow entries and listed as eligible to start if originally carded horses are withdrawn. For turf racing, the also-eligible list shall not exceed eight. After regularly carded horses have been excused from a race, a new drawing shall be taken from horses on the also-eligible list. If an also-eligible list is prepared, and any regularly carded horses have been excused from a race, a new drawing shall be taken from horses on the also-eligible list and order of eligibility and post positions shall be determined by the sequence in which they are drawn. If the conditions of a stakes race specify otherwise, those conditions shall govern and this rule shall not apply.

(Source: Amended at 18 Ill. Reg. _____, effective _____)

ILLINOIS RACING BOARD

NOTICE OF ADOPTED AMENDMENTS

- 1) Heading of the Part: Licensing
- 2) Code Citation: 11 Ill. Adm. Code 502
- 3) Section Numbers: Proposed Action:
502.500 Amendment
- 4) Statutory Authority: 230 ILCS 5
- 5) Effective Date of Rule(s): July 7, 1994
- 6) Does this rulemaking contain an automatic repeal date? No
- 7) Does this rule contain incorporations by reference? No.
- 8) Date Filed in Agency's Principal Office: July 7, 1994
- 9) Notice(s) of Proposal Published in Illinois Register:
18 Ill. Reg. 5508, April 8, 1994
- 10) Has JCAR issued a Statement of Objections to these rules? No
- 11) Difference(s) between proposal and final version:
In line 95, the words "regulatory" and "or" were removed. In line 96, the word "Commission" was removed and the phrase "a comparable racing regulatory authority" was added.
- 12) Have all the changes agreed upon by the agency and JCAR been made as indicated in the agreement letter issued by JCAR? No
N/A
- 13) Will this rule replace an emergency rule currently in effect? No
- 14) Are there any amendments pending on this Part? No
- 15) Summary and Purpose of Rule(s):
This rulemaking allows for former employees of regulatory racing boards or commissions to be eligible to test for the occupation license of jockey agent. Eligible candidates are required to have experience as an occupation license in Illinois or another racing jurisdiction. In Illinois and many other racing jurisdictions, employees are not licensed and therefore not eligible to test under the current rule.
- 16) Information and questions regarding this adopted amendment shall be directed to:

Name: Illinois Racing Board, Legal Department, 100 West Randolph,
Address: Suite 11-100, Chicago, Illinois 60601

ILLINOIS RACING BOARD

NOTICE OF ADOPTED AMENDMENTS

The full text of the Adopted Amendment begins on the next page:

ILLINOIS RACING BOARD

NOTICE OF ADOPTED AMENDMENTS

TITLE 11: ALCOHOL, HORSE RACING, AND LOTTERY

SUBTITLE B: HORSE RACING

CHAPTER 1: ILLINOIS RACING BOARD

SUBCHAPTER c: RULES APPLICABLE TO ALL OCCUPATION LICENSEES

PART 502
LICENSING

SUBPART A: PROCEDURE

Section

502.10 Submission of Application

502.20 Complete Application

502.30 License Fees

502.40 Duration and Extent of Occupation Licenses

502.50 Rulings and Hearings

502.55 Denial of License

502.58 License to Participate

SUBPART B: STATUTORY GROUNDS FOR DENIAL OF A LICENSE

Section

502.60 Denial of a License for Criminal Conviction

502.72 First-Time Applicant Who Has Been Convicted of a Crime

502.76 Prohibitions Against Persons on Conditional Discharge, Parole,

Probation or Supervision

502.78 Probationary Nature of Licenses

502.80 Unqualified to Perform the Duties

502.90 Falsifying Answers or Omitting Facts

502.100 Just Cause

502.102 Burden of Going Forward

502.104 Denial of a License for Just Cause in Illinois or in Another Racing

Jurisdiction

SUBPART C: GENERAL CRITERIA

Section

502.110 Criteria for Determining Eligibility

502.115 Standards Required of All Applicants

SUBPART D: OWNERS

Section

502.120 Owners

SUBPART E: TRAINERS AND ASSISTANT TRAINERS

Section

ILLINOIS RACING BOARD

NOTICE OF ADOPTED AMENDMENTS

Trainers and Assistant Trainers

Prospective Trainers or Assistant Trainers

Workers' Compensation

502.200

502.210

502.220

SUBPART F: JOCKEYS AND APPRENTICE JOCKEYS

Section

502.230 Jockeys and Apprentice Jockeys

502.235 Apprentice Jockeys, Criteria for Eligibility

502.238 Apprentice Contract or Certificate

SUBPART G: DRIVERS

Section

502.250 Harness Driver

502.260 Prospective Harness Drivers

502.270 "Q" Licenses

502.280 "P" Licenses

502.290 "A" Licenses

SUBPART H: OTHER LICENSEES

Section

502.300 Veterinarians

502.320 Veterinary Assistant

502.350 Farriers (Blacksmiths)

502.380 Exercise Riders

502.400 Pony Person

502.450 Stable Foreman

502.500 Jockey Agents

502.600 Authorized Agents

502.650 Tack Shop Operators and Other Vendors

502.660 Vendor Helper

502.680 Thoroughbred Grooms

502.690 Harness Grooms

502.700 Hotwalker

502.790 Totalizator Employee

SUBPART I: CONFLICTS OF INTEREST

Section

502.800 General Provision

502.820 Dual Licensing

502.830 Limitations on License

502.840 Husbands and Wives

502.850 Transfer of a Horse

AUTHORITY: Implementing Section 15 and authorized by Section 9(b) of the Illinois Horse Racing Act of 1975 (230 ILCS 5/9(b) and 15).

ILLINOIS RACING BOARD

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NOTICE OF ADOPTED AMENDMENTS

NOTICE OF ADOPTED AMENDMENTS

SOURCE: Emergency rule adopted and codified at 6 Ill. Reg. 9711, effective July 27, 1982, for a maximum of 150 days; adopted and codified at 6 Ill. Reg. 13786, effective October 25, 1982; amended at 7 Ill. Reg. 5225, effective April 1, 1983; amended at 11 Ill. Reg. 20611, effective January 1, 1988; amended at 13 Ill. Reg. 1562, effective January 23, 1989; amended at 13 Ill. Reg. 4931, effective March 22, 1989; amended at 14 Ill. Reg. 17641, effective October 16, 1990; amended at 15 Ill. Reg. 11985, effective August 12, 1991; amended at 16 Ill. Reg. 12774, effective July 31, 1992; amended at 17 Ill. Reg. 19961, effective November 9, 1993; amended at 18 Ill. Reg. _____, effective _____.

Section 502.500 Jockey Agents

- a) An applicant for a jockey agent's license shall have been licensed previously as a jockey agent by the Board or by another racing jurisdiction, and shall not represent more than two jockeys.
- b) If the applicant has never been licensed as a jockey agent, the applicant shall have at least one year's experience as an occupation licensee or an employee of the Board in Illinois or a comparable racing regulatory authority in another racing jurisdiction, and shall pass with a grade of 75% a written examination administered by the stewards. The test shall cover such subjects as jockey engagements and horse eligibility.

(Source: Amended at 18 Ill. Reg. _____, effective _____.)

- 1) Heading of the Part: Starting
- 2) Code Citation: 11 Ill. Adm. Code 1415
- 3) Section Numbers: 1415.280 Proposed Action: New Section
- 4) Statutory Authority: 230 ILCS 5
- 5) Effective Date of Rule(s): July 7, 1994
- 6) Does this rulemaking contain an automatic repeal date? No
- 7) Does this rule contain incorporations by reference? No.
- 8) Date Filed in Agency's Principal Office: July 7, 1994
- 9) Notice(s) of Proposal Published in Illinois Register: 18 Ill. Reg. 5512, April 8, 1994
- 10) Has JCAR issued a Statement of Objections to these rules? No
- 11) Difference(s) between proposal and final version:
In line 47, a comma was added after "blinkers". In line 49, the phrase "request for such a" was added and the word "such" was removed. In line 51, a comma was added after the word "blinkers". In line 52, a comma was added after the word "them" and a comma was removed from after the word "race".
- 12) Have all the changes agreed upon by the agency and JCAR been made as indicated in the agreement letter issued by JCAR? Yes
- 13) Will this rule replace an emergency rule currently in effect? No
- 14) Are there any amendments pending on this Part? No
- 15) Summary and Purpose of Rule(s):
This rulemaking outlines the procedure for requesting permission to change blinker equipment on horses.
- 16) Information and questions regarding this adopted amendment shall be directed to:

Address: Illinois Racing Board
Legal Department
100 West Randolph, Suite 11-100
Chicago, Illinois 60601

The full text of the Adopted Amendment begins on the next page:

ILLINOIS RACING BOARD

NOTICE OF ADOPTED AMENDMENTS

TITLE 11: ALCOHOL, HORSE RACING, AND LOTTERY

SUBTITLE B: HORSE RACING

CHAPTER I: ILLINOIS RACING BOARD

SUBCHAPTER g: RULES AND REGULATIONS OF HORSE RACING (THOROUGHBREID)

PART 1415
STARTING

Section	Identification of Horses
1415.10	Lip Tattoo
1415.15	Authority of Starter
1415.20	Jockeys to Dismount
1415.30	All Horses Parade
1415.40	Horses Led to Post
1415.50	Starter's Orders
1415.60	Starter's Assistants
1415.70	Causes of Delay
1415.80	Report Presence on Grounds
1415.90	Jockey Fees Paid
1415.100	Licensed Trainer
1415.110	Veterinarian's List
1415.120	Scratches and Refunds
1415.130	Number of Starters
1415.140	Horse Must Run the Course
1415.150	Starting Gate
1415.160	Post Positions
1415.170	Horse, When a Starter
1415.180	Failure of Starting Gate
1415.190	Start Without Gate
1415.200	Horse, When a Starter Without a Gate
1415.210	Schooling
1415.220	Twitches and War Bridles (Repealed)
1415.230	Starter (Repealed)
1415.240	Starter Reports Fines (Repealed)
1415.250	Inspection of Plating
1415.260	Change in Course
1415.270	Equipment Changes
1415.280	

AUTHORITY: Implementing and authorized by Section 9(b) of the Illinois Horse Racing Act of 1975 [230 ILCS 5/9(b)].

SOURCE: Published in Rules and Regulations of Horse Racing, (original date not cited in publication); amended at 5 Ill. Reg. 8911, effective August 25, 1981; codified at 5 Ill. Reg. 10985; amended at 6 Ill. Reg. 10013, effective August 3, 1982; amended at 7 Ill. Reg. 2170, effective February 4, 1983; amended at 14 Ill. Reg. 20056, effective December 4, 1990; amended at 18 Ill. Reg. _____, effective _____.

ILLINOIS RACING BOARD

NOTICE OF ADOPTED AMENDMENTS

Section 1415.280 Equipment Changes

- a) Permission for a horse to wear blinkers, or to discontinue the use of them, must be approved by the starter before being granted by the stewards. Any request for such a change must be stated at the time of entry.
- b) Permission for a horse to wear blinkers, or to discontinue the use of them, following a winning race may be granted at the discretion of the stewards.

(Source: Added at 18 Ill. Reg. _____, effective _____.)

DEPARTMENT OF REHABILITATION SERVICES

NOTICE OF ADOPTED AMENDMENTS

1) Heading of the Part: Advisory Councils

2) Code Citation: 89 Ill. Adm. Code 515

<u>Section Numbers:</u>	<u>Proposed Action:</u>
515.600	New Section
515.610	New Section
515.620	New Section
515.630	New Section
515.640	New Section
515.650	New Section

4) Statutory Authority: Implementing Section 3 of the Disabled Persons Rehabilitation Act (Ill. Rev. Stat. 1991, ch. 23, par. 3434) [20 ILCS 2405/31]; and Sections 6.23 and 8 of the Civil Administrative Code of Illinois (Ill. Rev. Stat. 1991, ch. 127, pars. 6.23 and 8) [20 ILCS 5/6.23 and 8]; and the Bureau for the Blind Act (Ill. Rev. Stat. 1991, ch. 23, par. 3411 et seq.) [20 ILCS 2410]; and Section 6 of the Head and Spinal Cord Injury Act (Ill. Rev. Stat. 1991, ch. 111 1/2, par. 7856) [410 ILCS 515/16].

5) Effective Date of Rule(s): July 7, 1994

6) Do these rulemakings contain an automatic repeal date? No

7) Do these rule contain incorporations by reference? No.

8) Date Filed in Agency's Principal Office: 06/28/94

9) Notice(s) of Proposal Published in Illinois Register: February 25, 1994, 18 Ill. Reg. 2846

10) Has JCAR issued a Statement of Objections to these rules? No

11) Difference(s) between proposal and final version:
JCAR Technical changes.

12) Have all the changes agreed upon by the agency and JCAR been made as indicated in the agreement letter issued by JCAR? Yes

13) Will this rule replace an emergency rule currently in effect? No

14) Are there any amendments pending on this Part? No

15) Summary and Purpose of Rule(s):

Pursuant to the Head and Spinal Cord Injury Act (Ill. Rev. Stat. 1991, ch. 111 1/2, par. 7856) [410 ILCS 515], DORS is required to establish the Advisory Council on Spinal Cord and Head Injuries. Therefore, DORS is promulgated these rules to establish the new advisory council.

DEPARTMENT OF REHABILITATION SERVICES

NOTICE OF ADOPTED AMENDMENTS

16) Information and questions regarding these adopted amendments shall be directed to:

Name: Ms. Susan Warner, Manager
Address: Regulations and Procedures Division
Department of Rehabilitation Services
P.O. Box 19429
Springfield, Illinois 62794-9429
Telephone: (217) 785-3896
TTY: (217) 785-9301

The full text of the Adopted Amendments begins on the next page:

DEPARTMENT OF REHABILITATION SERVICES

NOTICE OF ADOPTED AMENDMENTS

TITLE 89: SOCIAL SERVICES

CHAPTER IV: DEPARTMENT OF REHABILITATION SERVICES

SUBCHAPTER a: GENERAL PROGRAM PROVISIONS

PART 515

ADVISORY COUNCILS

SUBPART A: REHABILITATION SERVICES ADVISORY COUNCIL

Section
515.100 Rehabilitation Services Advisory Council
515.110 Powers and Duties
515.120 Composition
515.130 Meetings
515.140 Terms of Membership
515.150 General Provisions

SUBPART B: CONSUMER ADVISORY COUNCILS

Section
515.200 Consumer Advisory Councils

SUBPART C: FACILITY ADVISORY COUNCILS

Section
515.300 Facility Advisory Councils

SUBPART D: STATEWIDE INDEPENDENT LIVING COUNCIL

Section
515.400 Statewide Independent Living Council
515.410 Composition
515.420 Meetings
515.430 Membership Terms
515.440 Powers and Duties
515.450 General Provisions

SUBPART E: BLIND SERVICES PLANNING COUNCIL

Section
515.500 Blind Services Planning Council

SUBPART F: ADVISORY COUNCIL ON SPINAL CORD AND HEAD INJURIES

Section
515.600 Advisory Council on Spinal Cord and Head Injuries
515.610 Powers and Duties
515.620 Composition
515.630 Meetings
515.640 Membership Terms

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515.650 General Provisions

AUTHORITY: Implementing Section 3 of the Disabled Persons Rehabilitation Act (Ill. Rev. Stat. 1991, ch. 23, par. 3434) [20 ILCS 2405/3]; and Sections 6.23 and 8 of the Civil Administrative Code of Illinois (Ill. Rev. Stat. 1991, ch. 127, pars. 6.23 and 8) [20 ILCS 5/6.23 and 8]; and the Bureau for the Blind Act (Ill. Rev. Stat. 1991, ch. 23, par. 3411 et seq.) [20 ILCS 2410]; and Section 6 of the Head and Spinal Cord Injury Act (Ill. Rev. Stat. 1991, ch. 111 1/2, par. 7856) [410 ILCS 515/6].

SOURCE: Adopted and codified at 7 Ill. Reg. 8127, effective June 24, 1985; amended at 8 Ill. Reg. 1975, effective February 1, 1984; amended at 12 Ill. Reg. 17942, effective October 24, 1988; amended at 15 Ill. Reg. 7211, effective April 26, 1991; emergency amendments at 17 Ill. Reg. 11589, effective July 1, 1993, for a maximum of 150 days; amended at 17 Ill. Reg. 20278, effective November 15, 1993; amended at 18 Ill. Reg. _____, effective _____.

SUBPART F: ADVISORY COUNCIL ON SPINAL CORD AND HEAD INJURIES

Section 515.600 Advisory Council on Spinal Cord and Head Injuries

The Advisory Council on Spinal Cord and Head Injuries is hereby established, and is to be maintained by DORS, for the purpose of making recommendations to the governor for developing and administering a State plan to provide services for spinal cord and head injured persons. [410 ILCS 515/6f]

(Source: Added at 18 Ill. Reg. _____, effective _____.)

Section 515.610 Powers and Duties

The council shall:

- a) Promote meetings and programs for the discussion of reducing the debilitating effects of spinal cord and head injuries and disseminate information in cooperation with any other Department, agency or entity on the prevention, evaluation, care treatment, and rehabilitation of persons affected by spinal cord and head injuries;
- b) Study and review current prevention, evaluation, care treatment and rehabilitation technologies and recommend appropriate preparation, training, retraining and distribution of manpower and resources in the provision of services to spinal cord and head injured persons through private and public residential facilities, day programs, and other specialized services;
- c) Recommend specific methods, means and procedures which should be adopted and upgrade the State's service delivery system for spinal cord and head injured citizens of this State;
- d) Participate in developing and disseminating criteria and standards which may be required for future funding and licensing of facilities.

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- day programs and other specialized services for spinal cord and head injured persons in this State; and
- e) Report annually to the Governor and the General Assembly on its activities, on the results of its studies and its recommendations. [410 ILCS 515/6h]

(Source: Added at 18 Ill. Reg. _____, effective _____)

Section 515.620 Composition

The council shall consist of 29 members. Two members shall be appointed by each of the Speaker of the House of Representatives, the President of the Senate, the Minority Leader of the House of Representatives and the Minority Leader of the Senate. The remaining 21 members shall be appointed by the Governor with advice and consent of the Senate, as follows:

- a) Two Neurosurgeons;
- b) Two orthopedic surgeons;
- c) Two rehabilitation specialists, one of whom shall be a registered nurse;
- d) Four persons with head injuries or family members of persons with head injuries;
- e) Four persons with spinal cord injuries or family members of persons with spinal cord injuries; and
- f) A representative of the following:
 - 1) An Illinois college or university;
 - 2) Health institutions or private industry;
 - 3) The Department of Mental Health and Developmental Disabilities;
 - 4) The State Board of Education;
 - 5) The Department of Public Health;
 - 6) The Department of Insurance; and
 - 7) The Department of Public Aid. [410 ILCS 515/6a]

(Source: Added at 18 Ill. Reg. _____, effective _____)

Section 515.630 Meetings

- a) Meetings shall be held at least every 90 days or at the call of the council chairman, who shall be elected by the council [410 ILCS 515/6c].
- b) Each member shall be reimbursed for reasonable and necessary expenses actually incurred in the performance of his or her official duties [410 ILCS 515/6d] as set forth in the Governor's Travel Control Board Regulations at 80 Ill. Adm. Code 3000.

(Source: Added at 18 Ill. Reg. _____, effective _____)

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Section 515.640 Membership Terms

- a) The 21 members appointed by the Governor shall serve staggered terms determined by the members by lot as follows:
- 1) 7 are to have 1-year terms;
 - 2) 7 are to have 2-year terms;
 - 3) 7 are to have 3-year terms. [410 ILCS 515/6a]
- b) Thereafter, the successors to each of these 21 members shall serve 3-year terms and until their successors are appointed by the Governor with the advice and consent of the Senate. [410 ILCS 515/6a]
- c) No member shall serve more than 6 consecutive years on the council.

(Source: Added at 18 Ill. Reg. _____, effective _____)

Section 515.650 General Provisions

- a) No member of the council may participate in or seek to influence a decision or vote of the council if the member would be directly involved with the matter or if he or she would derive income from it. A violation of this prohibition shall be grounds for a person to be removed as a member of the council by the Governor. [410 ILCS 515/6g]
- b) The council shall adopt written procedures to govern its activities. Consultants shall be provided for the council from appropriations made for such purpose. [410 ILCS 515/6e]
- c) The council shall make recommendations to the Governor for developing and administering a State plan to provide services for spinal cord and head injured persons. [410 ILCS 515/6f]
- d) From funds appropriated for such purpose, the Department of Rehabilitation Services shall provide to the council the necessary staff and expense funds to carry out the duties and responsibilities assigned by the council. Such staff shall consist of a director and other support staff. [410 ILCS 515/6b] The Department may meet this obligation by providing a liaison to the council and such other support staff as the Department determines is required.

(Source: Added at 18 Ill. Reg. _____, effective _____)

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NOTICE OF ADOPTED AMENDMENTS

- 1) Heading of the Part: Charitable Games Act
- 2) Code Citation: 86 Ill. Adm. Code 435
- 3) Section Numbers: Adopted Action:
435.120 Amendment
- 4) Statutory Authority: 230 ILCS 30
- 5) Effective Date of Amendment(s): July 7, 1994
- 6) Does this rulemaking contain an automatic repeal date? No
- 7) Does this amendment contain incorporations by reference? No
- 8) Date Filed in Agency's Principal Office? July 7, 1994
- 9) Notice of Proposal Published in Illinois Register:
March 18, 1994, 18 Ill. Reg. 4109
- 10) Has JCAR issued a Statement of Objections to these Amendments?
No

- 11) Differences between proposal and final version? At the request of JCAR, the following changes were made:

1. In the Authority Note, deleted "/1" in the ILCS citation.

2. In the Source Note, deleted the comma following the last reference to the Illinois Register and inserted a blank followed by a comma before the last "effective".

3. In Section 435.120(a)(1), struck through "(Section 2 of the Act)" after "Internal Revenue Code"; inserted "(Section 2 of the Act)" after "veteran's organization", and deleted "/1" in the ILCS citation.

- 12) Have all the changes agreed upon by the agency and JCAR been made as indicated in the agreement letter issued by JCAR? Yes

- 13) Will this amendment replace an emergency amendment currently in effect? No

- 14) Are there any amendments pending on this Part? No

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- 15) Summary and Purpose of Amendment(s): Section 435.120 is being amended to delete the requirement that an organization submit a copy of a document from the Attorney General of Illinois showing that it has registered, or is exempt from registration, under the Solicitation for Charity Act (225 ILCS 460/1). This provision, which is not statutorily based, has not shown to be beneficial for the Department's application process, and is burdensome for applicants.

- 16) Information and questions regarding this adopted amendment shall be directed to:

Stanley T. Cichowski
Deputy General Counsel
Illinois Department of Revenue
Office of General Counsel
101 West Jefferson
Springfield, Illinois 62794
Phone: (217) 782-7054

The full text of the Adopted Amendment begins on the next page:

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NOTICE OF ADOPTED AMENDMENTS

TITLE 86: REVENUE
CHAPTER 1: DEPARTMENT OF REVENUE

PART 435
CHARITABLE GAMES ACT

Section	Introduction
435.100	Definitions
435.110	Charitable Games Licenses
435.120	Supplier's Licenses
435.130	Provider's Licenses
435.140	Ineligibility for License
435.150	Operation of Charitable Games Events
435.160	Restrictions and Limitations on the Conducting of Charitable Games
435.170	Imposition of Tax, Returns
435.180	Records; Audits
435.190	Denial, Suspension, or Revocation of Licenses
435.200	Criminal and Civil Penalties
435.210	State-Local Relations
435.220	

AUTHORITY: Implementing and authorized by the Charitable Games Act [230 ILCS 30].

SOURCE: Emergency Rule adopted at 10 Ill. Reg. 15687, effective September 15, 1986, for a maximum of 150 days; adopted at 11 Ill. Reg. 3722, effective February 10, 1987; peremptory amendments at 11 Ill. Reg. 10702, effective May 26, 1987; amended at 15 Ill. Reg. 10966, effective July 10, 1991; amended at 16 Ill. Reg. 14702, effective September 14, 1992; amended at 18 Ill. Reg. _____, effective _____.

Section 435.120 Charitable Games Licenses

a) Eligibility. To be eligible for a charitable games license, an applying organization must have been organized in Illinois and must satisfy each of the following conditions of eligibility:

1) The organization must be a charitable, religious, fraternal, veterans, labor, or educational organization or institution organized and conducted on a not-for-profit basis with no personal profit inuring to anyone as a result of the operation and which is exempt from federal income taxation under Section 501(c)(3), 501(c)(4), 501(c)(5), 501(c)(8), 501(c)(10), or 501(c)(19) of the Internal Revenue Code (Section 2 of the Act), a veterans' organization as defined in the Bingo License and Tax Act (1991-Rev. Stat., ch. 120, par. 101) [230 ILCS 25], or an auxiliary of a veteran's organization (Section 2 of the Act).

A) For an organization to be considered charitable for purposes

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of obtaining a charitable games license, its activities must benefit an indefinite number of persons; it must have no capital, capital stock, or shareholders; its funds must be derived mainly from private and public charity and be held in trust for the objects and purposes expressed in its charter; it must dispense charity to all who need and apply for it; and it must place no obstacles in the way of those seeking the benefits.

B) For an organization to be considered educational for purposes of obtaining a charitable games license, it must be organized and operated to provide systematic instruction in useful branches of learning by methods common to schools and institutions of learning which compare favorably in their scope and intensity with the course of study presented in tax-supported schools.

C) For an organization to be considered religious for purposes of obtaining a charitable games license, it must be a church, congregation, society, or organization founded for the purpose of religious worship.

D) For an organization to be considered fraternal for purposes of obtaining a charitable games license, it must be a civic, service or charitable organization, not for pecuniary profit, which is a branch, lodge or chapter of a national or State organization and exists for the common business, brotherhood, or other interest of its members. This does not include a college or high school fraternity or sorority.

E) For an organization to be considered labor for purposes of obtaining a charitable games license, it must be composed of labor unions or workers organized with the objective of betterment of the conditions of those engaged in such pursuit and the development of a higher degree of efficiency in their respective occupations.

F) For an organization to be considered a veteran's organization for purposes of obtaining a charitable games license, it must be comprised of members of which substantially all are individuals who are veterans or spouses, widows or widowers of veterans, the primary purpose of which is to promote the welfare of its members and to provide assistance to the general public in such a way as to confer a public benefit.

2) The organization must have had a bona fide membership engaged in carrying out its objects for at least the entire five-year period immediately preceding application (Section 3 of the Act). However, this five-year requirement shall not apply with regard to the following two types of organizations:

A) An organization which has had a bona fide membership engaged in carrying out its objectives for at least the entire

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two-year period immediately preceding application, and which is affiliated with and chartered by a national organization which meets the five-year requirement (Section 3 of the Act).

B) A charitable organization created by a fraternal organization which meets the five-year requirement, and which has the same officers and directors as the fraternal organization. "Fraternal Organization" means a civic, service or charitable organization in Illinois, except a college or high school fraternity or sorority, not for pecuniary profit, which is a branch, lodge or chapter of a national or Illinois organization and exists for the common business, brotherhood, or other interest of its members (Section 3 of the Act).

3) Auxiliary organizations of a licensee shall not be eligible for a license to conduct charitable games, except for auxiliary organizations of veterans organizations (Section 4 of the Act). An "auxiliary organization" is one which exists to assist or support an affiliated organization.

b) Applications. Application for a charitable games license must be made on the forms prescribed by the Department, and must be accompanied by a license fee of \$200 in the form of a certified check or money order payable to the Illinois Department of Revenue. The Department will not consider applications which are not complete or which are not accompanied by the information described below. Each license must be applied for at least 30 days prior to the event at which the licensee wishes to conduct such games (Section 3). Any willful misstatements contained in an application constitute perjury (Section 4 of the Act). An organization applying for a charitable games license must submit the following information in addition to the completed application form:

- 1) Documentary evidence sufficient to show that the organization meets the eligibility requirements of subsection (a) above. Such documentation must include, when applicable, a copy of the organization's by-laws, constitution, charter, minutes of past meetings, promotional materials, and Articles of Incorporation;
- 2) A copy of the letter or any other document issued to the organization by the Internal Revenue Service showing that the organization is currently exempt from federal income taxation under Section 501(c)(3), 501(c)(4), 501(c)(5), 501(c)(8), 501(c)(10) or 501(c)(19) of the Internal Revenue Code;
- 3) ~~A copy of the letter or any other document issued to the organization by the Attorney General of Illinois showing that the organization has been registered, or is exempt from registration under the Solicitation for Charity Act (Ill. Rev. Stat. 1991, Ch. 23, par. 501-25-1).~~
- 34) Information, on the form for that purpose, supplied by the

Department or on additional sheets attached to the form, concerning all of the members, volunteers, and employees of the organization who will participate in the management or operation of the charitable games events to be conducted under the license. If, from the information provided, the Department cannot determine with reasonable certainty that a member, volunteer, or employee does not have a criminal record which would make the organization ineligible for a license under Section 435.150, the Department will require such member, volunteer or employee to submit to fingerprinting in order to make a more certain determination as to the lack of a criminal history of the member, volunteer, or employee. Information concerning additional members, volunteers, and employees may be submitted at any time; however, such members, volunteers, and employees may not participate in the management or operation of any charitable games event unless the information required above is received by the Department at least 14 days before the event.

45) If the organization will be using charitable games equipment which it owns, it must include with its application for a charitable games license an application for a charitable games equipment ownership permit. The application for such permit must be on the form prescribed by the Department, and must be accompanied by an application fee of \$50 in the form of a certified check or money order payable to the Illinois Department of Revenue. On the permit application, the organization must list all charitable games equipment it owns and certify that all such equipment has the name of the organization permanently affixed thereto in a clearly visible location. Such permits shall be valid indefinitely provided that each time the organization renews its charitable games license it provides the Department with an inventory of all charitable games equipment it owns. An organization holding a charitable games equipment ownership permit may lend such equipment without compensation to other licensed organizations without applying for a supplier's license (Section 6 of the Act);

56) A diagram of the area(s) where the charitable games are to be played, showing the approximate location of each game, the location at which chips will be sold and redeemed (the bank), and the location of all doorways entering into the area(s);

67) If the organization will not be conducting its charitable games event(s) on premises which it owns, or at which it has its principal office or conducts activities for which it is organized, the organization must submit with its application a copy of a written, signed lease with the person or organization holding the license to provide the premises on which the charitable games event(s) will be conducted. No charitable games license will be issued for any date(s) not expressly stated in

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such lease:

7a) Any other information requested by the Department which is necessary to establish the eligibility of the organization for a charitable games license;

8a) A report on a form provided by the Department accounting for the disposition of the gross charitable games proceeds for the organization's most recent license year.

c) Licenses. A licensee may hold only one charitable games license (Section 3 of the Act). A charitable games license will be issued for as many as four dates during a license year. These dates may be consecutive, or separate, or some combination thereof. The licensee must state at what location each game will be conducted.

1) Addition of new event dates. Although applicants are not required to list four dates on the application, charitable games licenses which are issued for fewer than four dates must be amended to add additional dates. The Department must receive written notice of an added date at least 30 days in advance of such date.

2) Changes in established event dates, locations or times. In cases of changed dates, locations or times, an officer of the organization must notify the Department in writing at least 60 days in advance of the rescheduled event.

3) Any amendment to a license, including a change in date(s), time(s) or location(s), including the addition of new event dates, is subject to a \$50 amendment fee.

d) Upon receipt of a charitable games license the licensee shall file a copy of the license with each police department or, if in an unincorporated area, each sheriff's office whose jurisdiction includes the premises on which the charitable games events are authorized under the license (Section 4 of the Act).

e) The Department will not issue a charitable games license for an event to be held in a municipality if the municipality or county has adopted an ordinance prohibiting such events and has filed a copy of the ordinance with the Department.

(Source: Amended at 18 Ill. Reg. _____, effective _____)

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- 1) Heading of the Part: Pull Tabs and Jar Games Act
- 2) Code Citation: 86 Ill. Adm. Code 432
- 3) Section Numbers: Adopted Action:
432.110 Amendment
- 4) Statutory Authority: 230 ILCS 20
- 5) Effective Date of Amendment(s): July 7, 1994
- 6) Does this rulemaking contain an automatic repeal date? No
- 7) Does this amendment contain incorporations by reference? No
- 8) Date Filed in Agency's Principal Office? July 7, 1994
- 9) Notice of Proposal Published in Illinois Register: March 18, 1994, 18 Ill. Reg. 4117
- 10) Has JCAR issued a Statement of Objections to these Amendments?
No
- 11) Differences between proposal and final version? At the request of JCAR, the following changes were made:
1. In the Authority Note, deleted "/1" in the ILCS citation.
2. In Section 432.110(a)(8), moved ")" from after "6103.05)" to after "105/1)".
3. In Sections 432.110(b)(4) and (5), struck the period at the end of each subsection and inserted an underlined semi-colon in its place.
- 12) Have all the changes agreed upon by the agency and JCAR? Yes
- 13) Will this amendment replace an emergency amendment currently in effect? No
- 14) Are there any amendments pending on this Part? No

15) Summary and Purpose of Amendment(s): Section 432.110 is being amended to delete the requirement that an organization submit a copy of a document from the Attorney General of Illinois showing that it has registered, or is exempt from registration, under the Solicitation for Charity Act (225 ILCS 460/1). This provision, which is not statutorily based, has not shown to be beneficial for the Department's

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application process, and is burdensome for applicants.

16) Information and questions regarding this adopted amendment shall be directed to:

Stanley T. Cichowski
Deputy General Counsel
Illinois Department of Revenue
Office of General Counsel
101 West Jefferson
Springfield, Illinois 62794
Phone: (217) 782-7054

The full text of the Adopted Amendment begins on the next page:

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TITLE 86: REVENUE
CHAPTER 1: DEPARTMENT OF REVENUE

PART 432
PULL TABS AND JAR GAMES ACT

Section	Definitions
432.100	Regular Licenses
432.110	Limited Licenses
432.120	Manufacturer's Licenses
432.130	Supplier's Licenses
432.140	Ineligibility for License
432.150	Restrictions and Limitations on the Sale of Pull Tabs
432.160	Imposition of Tax; Returns
432.170	Records; Audits
432.180	Denial, Suspension, or Revocation of Licenses; Criminal Sanctions
432.190	State - Local Relations
432.200	

AUTHORITY: Implementing and authorized by the Illinois Pull Tabs and Jar Games Act [230 ILCS 20].

SOURCE: Emergency Rules adopted at 12 Ill. Reg. 11297, effective June 30, 1988, for a maximum of 150 days, emergency expired November 27, 1988; adopted at 13 Ill. Reg. 191, effective January 1, 1989; amended at 14 Ill. Reg. 6399, effective April 16, 1990; amended at 15 Ill. Reg. 10993, effective July 10, 1991; amended at 18 Ill. Reg. _____, effective _____.

Section 432.110 Regular Licenses

- a) Eligibility. To be eligible for a regular license, an organization must have been organized in Illinois. It must have been in existence continuously during the entire five-year period preceding application, and during that period must have had a bona fide membership engaged in carrying out its stated objectives on a regular basis. The five year requirement shall be reduced to two years, as applied to a local organization which is affiliated with and chartered by a national organization which meets the five year requirement (Section 2 of the Act). To be "chartered" by a national organization, an Illinois organization must have a document issued by the national organization formally authorizing the establishment of the Illinois organization. The organization must be conducted on a not-for-profit basis with no personal profit inuring to anyone as a result of the operation, and must fall within one of the following categories:
 - 1) Charitable Organization: an organization organized and operated to benefit an indefinite number of the public (Section 1.1 of the Act);

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- 2) *Educational Organization: an organization organized and operated to provide systematic instruction in useful branches of learning by methods common to schools and institutions of learning which compare favorably in their scope and intensity with the course of study presented in tax-supported schools* (Section 1.1 of the Act). Public schools and school districts are not eligible for regular licenses. Organizations affiliated with public schools, such as booster clubs, may be eligible if they fall within any of the other categories listed in this Section;
- 3) *Religious Organization: any church, congregation, society or organization founded for the purpose of religious worship* (Section 1.1 of the Act);
- 4) *Paternal Organization: an organization of persons, including but not limited to ethnic organizations, having a common interest, organized and operated exclusively to promote the welfare of its members and to benefit the general public on a continuing and consistent basis* (Section 1.1 of the Act);
- 5) *Veterans' Organization: an organization comprised of members of which substantially all are individuals who are veterans or spouses, widows, or widowers of veterans, the primary purpose of which is to promote the welfare of its members and to provide assistance to the general public in such a way as to confer a public benefit* (Section 1.1 of the Act);
- 6) *Labor Organization: an organization composed of labor unions or workers organized with the objective of betterment of the conditions of those engaged in such pursuit and the development of a higher degree of efficiency in their respective occupations* (Section 1.1 of the Act);
- 7) *Youth Athletic Organization: an organization having as its exclusive purpose the promotion and provision of athletic activities for youth aged 18 and under* (Section 1.1 of the Act). Marching bands and drum and bugle corps are considered to promote and provide athletic activities. A youth athletic organization otherwise eligible for a regular license does not lose its eligibility because youths served by the organization become nineteen while participating in an athletic activity with a season of definite duration;
- 8) *Senior Citizens Organization: an organization or association comprised of members of which substantially all are individuals who are 55 years of age or older, or who are nearing the age of 55 and for whom opportunities for employment and participation in community life are unavailable or severely limited and who, as a result thereof, have difficulty in maintaining self-sufficiency and contributing to the life of the community. The primary purpose of the organization must be the promotion of the welfare of its members* (Section 1.1 of the Act; Section 3.05 of the Illinois Act on the Aging (1111-Rev--Stat--1989--ch--23--par-6103-05) [20 ILCS 105/1]).

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- b) Applications. Application for a regular license must be made on the form prescribed by the Department, and must be accompanied by a license fee of \$500 in the form of a check or money order payable to the Illinois Department of Revenue, and by the following documents and information:
 - 1) Documentary evidence sufficient to show that the organization meets the eligibility requirements of subsection (a) above. Such documentation should include, when applicable, a copy of the organization's bylaws, constitution, charter, minutes of past meetings, promotional materials, and Articles of Incorporation;
 - 2) The names of the members of the organization who will participate in the sale of pull tabs. The presiding officer of the organization must certify that the persons listed are eligible to sell pull tabs, and have been members of the organization for at least 30 days before participating in the organization's sale of pull tabs;
 - 3) ~~A copy of the letter or any other document issued to the organization by the Attorney General showing that the organization is in compliance with the registration requirements of the AN to regulate solicitation and collection of funds for charitable purposes, providing for violations thereof, and making an appropriation therefor (Ill. Rev. Stat. 1989, ch. 23, par. 5101-et-seq.).~~
 - 34) For license renewal applications, a report, on a form provided by the Department, accounting for the disposition of the gross proceeds derived from the sale of pull tabs during the period covered by the report (see Section 432.180);
 - 45) Any other information requested by the Department which is necessary to establish the eligibility of the organization for a regular license;
 - 56) If, during a license year, any of the information provided to the Department by the licensee changes, the licensee must notify the Department within 20 days, in writing, of any such changes;
 - 67) The application form shall include the following information:
 - A) Name of organization
 - B) Address
 - C) Mailing Address
 - D) Name and address of person responsible for filing tax returns
 - E) Type of organization
 - F) Address(es) of place where pull tabs are to be sold
 - G) Does applicant own or lease premises?
 - H) In what municipality will the applicant be making the most pull tab sales in terms of gross receipts? If you are outside any municipality, in what county?
 - I) Tax registration or license number (if registered with the Illinois Department of Revenue under any Illinois tax Act)
 - J) Number of members in good standing

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- K) How long has organization had a bona fide membership engaged in carrying out its objectives?
- L) Place and date of incorporation of organization
- M) If not a corporation, state how and when organized
- N) Estimated amount of pull tabs and jar games tax per calendar quarter
- 0+** ~~Are--you--registered--with--the--Attorney--General's--Office~~
~~Pursuant-to-the-Illinois-Solicitation-Act?~~
- 0J)** For president of organization: name, address, home and business phone numbers, social security number, date of birth and race
- 0P)** For secretary of organization: name, address, home and business phone numbers, social security number, date of birth and race
- 0Q)** For person in charge of and primarily responsible for selling of the pull tabs: name, address, home and business phone numbers, social security number, date of birth and race-
- 0R)** Are criteria for membership in the organization included with the application?
- 0S)** Is documentary evidence verifying the claimed status of the applicant as a bona fide, nonprofit religious, charitable, labor, fraternal, educational, veteran's, youth athletic, or senior citizen's organization included with the application?
- 0T)** Is the documentary evidence verifying that the location(s) where you will be selling pull tabs is owned or occupied by your organization and used for your general activities or is the location where you conduct bingo included with the application?
- 0U)** Is a description of the activities and programs which qualify for support from pull tabs proceeds included with the application?
- 0V)** Is a list of your organization's members who will be selling pull tabs included with the application?
- 0W)** Is a completed Form PT-12, Expenditures of Funds Earned through Pull Tabs and Jar Games, for the past license year included with the application?
- 0X)** Signatures of officers and person primarily responsible for the sale of the pull tabs
- c) Licenses. Within 30 days after the receipt of a completed application, the Department will attempt to approve or deny the application. If the Department determines that an organization meets all of the eligibility requirements of this Section, and is not ineligible for any of the reasons stated in Section 432.150, the Department will issue a regular license to the organization. If the Department does not respond prior to expiration of the current license, the licensee is no longer authorized to conduct pull tab sales until such time as authorization is received. A regular license

authorizes the licensee to sell pull tabs only at the locations stated on the license. Such locations must be owned or occupied by the regular licensee and used by its members for general activities, or must be used by the regular licensee for conducting bingo (see Section 432.160(b)).

- 1) No organization may begin to sell pull tabs without having a valid license in its possession.
- 2) Each license expires at midnight, June 30, following its date of issuance, except that, beginning with applicants whose licenses expire on June 30, 1990, the following license expiration dates and license fees will apply:
 - A) Licenses in Group 1 will expire December 31, 1990. The license fee is \$250;
 - B) Licenses in Group 2 will expire March 31, 1991. The license fee is \$375;
 - C) Licenses in Group 3 will expire June 30, 1991. The license fee is \$500;
 - D) Licenses in Group 4 will expire September 30, 1991. The license fee is \$625.
- 3) Each license shall be in effect for one year from its date of issuance unless suspended or revoked by the Department before that date. After June 30, 1990, every new license shall expire one year from the date of issuance unless suspended or revoked. The Department cannot prorate the \$500 license fee when a license is issued for less than a full year.
- 4) It is the Department's policy to mail a renewal application to each regular licensee at least 30 days prior to the expiration of the license. However, failure to receive a renewal application does not excuse an organization of its obligation to submit a renewal application prior to the expiration of its current license. If the licensee fails to file a substantially complete renewal application prior to the expiration of a license, the organization may continue to sell pull tabs until the Department takes action on the renewal application. If the Department receives a renewal application more than seven days after the expiration of a license, the organization must immediately discontinue the sale of pull tabs until it receives a renewed license from the Department. It must discontinue the sale of pull tabs until a renewal license is issued.
- d) Special permits. Once during each license year a regular licensee may obtain a special permit to sell pull tabs at a different, additional location for a period of up to ten consecutive days. To apply for a special permit, a regular licensee must submit a written request to the Illinois Department of Revenue, Office of Bingo and Charitable Games, P.O. Box 19480, Springfield, Illinois 62794-9480. The request must be received at least fourteen days before the first day of the scheduled pull tab event, and must include a statement of the specific dates and exact location for which the permit is requested, and the

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name and address of the person or organization which owns or controls the site at which pull tabs will be sold.

(Source: Amended at 18 Ill. Reg. _____, effective _____)

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NOTICE OF ADOPTED AMENDMENTS

1) Heading of the Part: Cancellation, Revocation or Suspension of Licenses or Permits

2) Code Citation: 92 Ill. Adm. Code 1040

3) Section Numbers: 1040.35
Proposed Action: Amendment

4) Statutory Authority: Section 2-104(b) of the Illinois Vehicle Title and Registration Law of the Illinois Vehicle Code (~~111--Rev--Stat--1989--ch--95--1/2--par--2--104(b)~~) [625 ILCS 5/2-104(b)] and Section 6-104(a) of the Illinois Driver Licensing Law of the Illinois Vehicle Code (~~111--Rev--Stat--1989--ch--95--1/2--par--6--104(a)~~) [625 ILCS 5/6-104(a)].

5) Effective Date of Rule(s): July 7, 1994

6) Does this rulemaking contain an automatic repeal date? No

7) Does this rule contain incorporations by reference? No.

8) Date Filed in Agency's Principal Office: July 7, 1994

9) Notice(s) of Proposal Published in Illinois Register: 18 Ill. Reg. 2608 (February 18, 1994).

10) Has JCAR issued a Statement of Objections to these rules? No

11) Difference(s) between proposal and final version:

At the direction of the Administrative Code Unit the following changes were made:

The labels were rearranged to develop text for subsections (b) through (k).

The following changes were recommended by the Joint Committee on Administrative Rules:

To add as Section 1040.35(c) the following, with the rest of the Section relabeled accordingly: "When the Secretary of State has received sufficient evidence that a person has been convicted of a provision of a local ordinance which is similar to any of those offenses in Section 6-206 of the Illinois Vehicle Code that results in a suspension, he/she shall have his/her driving privileges suspended in the same manner as if he/she had been convicted of an offense contained within the Illinois Vehicle Code".

12) Have all the changes agreed upon by the agency and JCAR been made as indicated in the agreement letter issued by JCAR?

N/A

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13) Will this rule replace an emergency rule currently in effect? No

14) Are there any amendments pending on this Part? No

15) Summary and Purpose of Rule(s):

This proposed amendment sets forth the procedure to allow the Secretary of State to suspend a driver's license per Sections 6-205 and 6-206 of the Illinois Vehicle Code, of a person who has been convicted of a local ordinance violation which is similar to any subsection or Sections 6-205 and 6-206.

16) Information and questions regarding this adopted amendment shall be directed to:

Name: Mark A. Novak
Address: Assistant Counsel to the Secretary
2701 S. Dirksen Parkway
Springfield, IL 62723

Telephone: 217/782-5356

The full text of the Adopted Amendment begins on the next page:

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NOTICE OF ADOPTED AMENDMENTS

TITLE 92: TRANSPORTATION
CHAPTER II: SECRETARY OF STATE

PART 1040

CANCELLATION, REVOCATION OR SUSPENSION OF LICENSES OR PERMITS

Section	
1040.10	Court to Forward Licenses and Reports of Convictions
1040.20	Illinois Offense Table
1040.25	Suspension or Revocation for Driving Without a Valid Driver's License
1040.30	3 Or More Traffic Offenses Committed Within 12 Months
1040.31	Operating A Motor Vehicle During A Period of Suspension or Revocation
1040.32	Suspension or Revocation of Driver's Licenses, Permits or Identification Cards Used Fraudulently
1040.35	Commission of an Offense Requiring Mandatory Revocation or Discretionary Suspension or Revocation Upon Conviction
1040.38	Commission of a Traffic Offense in Another State
1040.40	Repeated Convictions or Collisions
1040.41	Suspension of Licenses for Curfew Violations
1040.42	Fleeing and Eluding
1040.43	Illegal Transportation
1040.46	Fatal Accident and Personal Injury Suspensions or Revocations
1040.48	Vehicle Emission Suspensions
1040.50	Suspension or Revocation of a License of Commercial Vehicle Driver
1040.55	Suspension or Revocation for Driver's License Classification Violations
1040.60	Release of Information Regarding a Disposition of Court Supervision
1040.65	Offenses Occurring on Military Bases
1040.66	Invalidation of a Restricted Driving Permit
1040.70	National Driver Register
1040.80	Cancellation of Driver's License Upon Issuance of a Handicapped Identification Card
1040.100	Rescissions
1040.101	Reinstatement Fees
1040.102	Bankruptcy for Suspensions, Cancellations, Failure to Pay and Returned Checks Actions

AUTHORITY: Implementing Articles II and VII of the Illinois Driver Licensing Law of the Illinois Vehicle Code [625 ILCS 5/Ch. 6, Arts. II and VII] and authorized by Section 2-104(b) of the Illinois Vehicle Title and Registration Law of the Illinois Vehicle Code [625 ILCS 5/2-104(b)].

SOURCE: Filed September 22, 1972; amended at 3 Ill. Reg. 36, p. 282, effective June 30, 1979; amended at 5 Ill. Reg. 3533, effective April 1, 1981; amended at 6 Ill. Reg. 4239, effective April 2, 1982; codified at 6 Ill. Reg. 12674; amended at 8 Ill. Reg. 2200, effective February 1, 1984; amended at 8 Ill. Reg. 3783, effective March 13, 1984; amended at 8 Ill. Reg. 18925, effective September 25, 1984; amended at 8 Ill. Reg. 23385, effective November 21, 1984; amended at 10 Ill. Reg. 15265, effective September 4, 1986; amended at 11 Ill.

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Reg. 16927, effective October 1, 1987; amended at 11 Ill. Reg. 20657, effective December 8, 1987; amended at 12 Ill. Reg. 2148, effective January 11, 1988; amended at 12 Ill. Reg. 14351, effective September 1, 1988; amended at 12 Ill. Reg. 15625, effective September 15, 1988; amended at 12 Ill. Reg. 16153, effective September 15, 1988; amended at 12 Ill. Reg. 16906, effective October 1, 1988; amended at 13 Ill. Reg. 1593, effective January 23, 1989; amended at 13 Ill. Reg. 5162, effective April 1, 1989; amended at 13 Ill. Reg. 7802, effective May 15, 1989; amended at 13 Ill. Reg. 8659, effective June 2, 1989; amended at 13 Ill. Reg. 17087, effective October 16, 1989; amended at 13 Ill. Reg. 20127, effective December 8, 1989; amended at 14 Ill. Reg. 2944, effective February 7, 1990; amended at 14 Ill. Reg. 5178, effective April 1, 1990; amended at 14 Ill. Reg. 5560, effective April 13, 1990; amended at 14 Ill. Reg. 18088, effective October 22, 1990; amended at 15 Ill. Reg. 14258, effective September 24, 1991; amended at 17 Ill. Reg. 8512, effective May 27, 1993; amended at 17 Ill. Reg. 9028, effective June 2, 1993; amended at 17 Ill. Reg. 12782, effective July 21, 1993; amended at 18 Ill. Reg. 7447, effective May 3, 1994; amended at 18 Ill. Reg. _____, effective _____.

Section 1040.35 Commission of an Offense Requiring Mandatory Revocation or Discretionary Suspension or Revocation Upon Conviction

a) ~~Pursuant to the provisions of Sections 6-205 and 6-206 of the Illinois Vehicle Code,~~ a person who has been convicted of a local ordinance violation which is similar to any of those offenses in Section 6-205 and 6-206 of the Illinois Vehicle Code [625 ILCS 5/6-205 and 6-206] shall have his/her driving privileges revoked or suspended. An offense would be similar if the same elements were necessary to prove a local ordinance offense as are necessary to prove the offense as stated in the Illinois Vehicle Code.

b) When the Secretary of State has received sufficient evidence that a person has committed one or more of the following offenses or similar provisions of a local ordinance and these offenses, currently awaiting court disposition, resulted in serious bodily injury or death, the driving record of the individual shall be reviewed for possible driver's license revocation by the Department of Driver Services.

- 1A) driving Under the influence of alcohol, other drugs or a combination thereof;
- 2B) manslaughter Manslaughter or reckless homicide resulting from the operation of a motor vehicle;
- 3E) leaving Leaving the scene of a traffic accident involving death or personal injury;
- 4B) drag Drag racing;
- and these offenses, currently awaiting court disposition, resulted in serious bodily injury or death, the driving record of the individual shall be reviewed for possible driver's license revocation by the Department of Driver Services.

2) When the Secretary of State has received sufficient evidence that a

person has been convicted of a provision of a local ordinance which is similar to any of those offenses in Section 6-206 of the Illinois Vehicle Code that results in a suspension, he/she shall have his/her driving privileges suspended in the same manner as if he/she had been convicted of an offense contained within the Illinois Vehicle Code.

d-A) In determining whether or not action should be taken, the driving record and other sufficient evidence showing that the person has committed such an offense shall be examined. "Sufficient evidence" shall be defined as:

1) copies of court documents showing the charging or conviction of a person for one or more of the named offenses in paragraph subsection (b) of this Section; or

2) transcripts of coroner's proceedings describing an incident where serious bodily injury or death resulted from a motor vehicle accident where one or more of the named offenses in paragraph subsection (b) of this Section was charged; or

3) affidavits of eye witnesses and others with first hand knowledge concerning the matter which indicate that serious bodily injury or death resulted from a motor vehicle accident where one or more of the named offenses in paragraph subsection (b) of this Section was charged; or

4) any other competent evidence. Examples of what would constitute other competent evidence include but are not limited to: laboratory reports, accident reports and other documentation deemed important and probative by the State's Attorneys attorneys.

e) Such information shall be provided with a letter of transmittal from the appropriate State's Attorneys attorneys.

f) "Serious bodily injury" shall be defined as:

- 1A) bodily injury which involves a substantial risk of death; or
- 2B) unconsciousness; or
- 3E) extreme physical pain; or
- 4B) protracted and obvious disfigurement; or
- 5B) protracted loss or impairment of the function of a bodily member, organ, or mental faculty.

g) If sufficient evidence is received from the State's Attorney and indicates that a person has committed one or more of the named offenses in paragraph subsection (b) of this Section, and that these offenses, currently awaiting court disposition, involved a motor vehicle accident which caused serious bodily injury or death, the driving privileges of the individual shall be revoked.

h) If the individual, whose driving privileges have been revoked under this Section, is adjudicated "guilty" by the court system, the revocation previously entered on his/her driving record in accordance with this Section, shall stand. This action does not preclude further suspension and/or revocation of driving privileges under another section of the Illinois Vehicle Code.

i) If the individual, whose driving privileges have been revoked under this Section, is adjudicated "not guilty" by the court system, the

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DEPARTMENT OF TRANSPORTATION

NOTICE OF ADOPTED AMENDMENTS

1) Heading of the Part: NOTICE OF ADOPTED AMENDMENTS
Nonscheduled Bus Inspections

2) Code Citation: 92 Ill. Adm. Code 456

3) Section Numbers: Adopted Action:

456.60 Amend
456.70 Amend

4) Statutory Authority: Implementing and authorized by Section 13-109 of the Illinois Vehicle Inspection Law (Ill.Rev.Stat. 1991, ch. 95 1/2, par. 13-109) [625 ILCS 5/13-109] and Section 12-812 of the Illinois Vehicle Equipment Law (Ill.Rev.Stat. 1991, ch. 95 1/2, par. 12-812) [625 ILCS 5/12-812].

5) Effective date of rule:

6) Does this rulemaking contain an automatic repeal date? No

7) Does this amendment contain incorporations by reference? No

8) Date filed in agency's principal office?

9) Notice of proposal published in Illinois Register: March 18, 1994, 18 Ill. Reg. 4126

10) Has JCAR issued a Statement of Objections to these rule? No

11) Differences between proposal and final version?

The following changes were made at the suggestion of the Joint Committee on Administrative Rules:

The Department deleted the dash in Section 456.60(o)(2) and inserted "and" between "April 15" and "October 1".

"Mud-Snow" was changed to "mud/snow" in Section 456.70(w)(2)(A)(i).

12) Have all the changes agreed upon by the Agency and JCAR been made as indicated in the agreements letter issued by JCAR? Yes

13) Will this rule replace an Emergency Rule currently in effect? No

14) Are there any amendments pending on this Part? No

revocation previously entered on his/her driving record in accordance with this Section shall be rescinded. This action does not preclude further suspension and/or revocation of driving privileges under another section of the Illinois Vehicle Code.

j7) If the individual, whose driving privileges have been revoked under this Section, is granted a disposition of "court supervision" by the court system, the revocation previously entered on his/her driving record in accordance with this Section shall be rescinded. This action does not preclude further suspension and/or revocation of driving privileges under another section of the Illinois Vehicle Code.

k8) If the charges against an individual, whose driving privileges have been revoked under this Section, are reduced or altered in any manner such that the offense(s) for which the individual is convicted is not a mandatory revocation offense under Section 6-205 of the Illinois Vehicle Code, the revocation previously entered on his/her driving record in accordance with this Section shall be rescinded. This action does not preclude further suspension and/or revocation of driving privileges under another section of the Illinois Vehicle Code.

l9) An individual, whose driving privileges have been revoked or suspended under this Section, may request an administrative hearing pursuant to 92 Ill. Adm. Code 1001.

(Source: Amended at 18 Ill. Reg. _____, effective _____)

DEPARTMENT OF TRANSPORTATION
 NOTICE OF ADOPTED AMENDMENTS
 TITLE 92: TRANSPORTATION
 CHAPTER I: DEPARTMENT OF TRANSPORTATION
 SUBCHAPTER e: TRAFFIC SAFETY (EXCEPT HAZARDOUS MATERIALS)

DEPARTMENT OF TRANSPORTATION
 NOTICE OF ADOPTED AMENDMENTS
 15) Summary and purpose of rules:

By this Notice of Adopted Amendments, the Department amends Section 456.60 (uu), "Stop Arm Panel," to make "lights not functioning" an out-of-service violation.

The Department also amends Section 456.60 (zz)(3)(B)(i) and (iii) and Sections 456.70 (w)(2)(A)(i) and (ii) to make "flat tire" on a steering axle a warning violation.

16) Information and questions regarding these adopted rules shall be directed to:

Ms. Catherine Allen
 Regulations and Training Unit
 Illinois Department of Transportation
 Division of Traffic Safety
 P. O. Box 19212
 Springfield, Illinois 62794-9212
 (217) 785-1181

The full text of the Adopted Amendments begins on the next page:

PART 456
 NONSCHEDULED BUS INSPECTIONS

Section	Purpose and Scope
456.10	Application
456.20	Standards of Construction
456.30	Definitions
456.40	Enforcement Procedures
456.50	Violation Criteria for School Buses
456.60	Violation Criteria for Religious Organization Buses and Buses Registered as Charitable Vehicles
456.70	Violation Criteria for Alternate Fuel School Buses
456.80	Violation Criteria for Special Education School Buses
456.90	Violation Criteria for Special Education School Buses

AUTHORITY: Implementing and authorized by Section 13-109 of the Illinois Vehicle Inspection Law (Ill. Rev. Stat. 1991, ch. 95 1/2, par. 13-109) [625 ILCS 5/13-109] and Section 12-812 of the Illinois Vehicle Equipment Law (Ill. Rev. Stat. 1991, ch. 95 1/2, par. 12-812) [625 ILCS 5/12-812].

SOURCE: Adopted at 15 Ill. Reg. 5894, effective April 8, 1991; amended at 16 Ill. Reg. 16649, effective October 16, 1992; amended at 17 Ill. Reg. 22070, effective December 10, 1993; amended at 18 Ill. Reg. _____, effective _____.

Section 456.60 Violation Criteria for School Buses

The following items will be inspected during a nonscheduled inspection. A violation of one item may only necessitate a warning while other items may require a three day notice or cause the vehicle to be declared out-of-service. Certain items have criteria listed in more than one penalty category, depending on the degree of the specific violation. If any criteria listed below exists, the corresponding penalty will be issued:

- a) Air Cleaner:
 - WARNING - missing; not properly attached.
- b) Aisle:
 - 1) OUT-OF-SERVICE - obstructed.
 - 2) WARNING - does not meet minimum dimension requirements (refer to 92 Ill. Adm. Code 451. Appendix A(b)).
- c) Alternator:
 - THREE DAY - belts are torn, broken or slipping; does not meet capacity rating or electrical requirements; not functioning.
- d) Axles:
 - OUT-OF-SERVICE - not firmly attached; cracked; broken; leaking fluids; insufficient capacity (as determined by 49 CFR 568.4 (1992)).

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- e) Barrier:
1) OUT-OF-SERVICE - missing (if required); not solidly attached.
2) WARNING - padding or covering shows wear and tear, does not meet minimum height requirements (refer to 92 Ill. Adm. Code 451.Appendix A(e)).
- f) Battery:
THREE DAY - excessive corrosion; not secured.
- g) Battery Cables:
THREE DAY - corroded; not securely attached.
- h) Battery Carrier/Compartment:
THREE DAY - when battery is mounted outside of engine compartment, it is not properly attached in weather-tight vented compartment; compartment door does not latch.
- i) Brakes:
1) OUT-OF-SERVICE - any problem found with service brake system.
2) THREE DAY - any problem found with emergency brake system.
3) WARNING - any SB 6 violation (refer to 92 Ill. Adm. Code 451.Appendix A(i)(7)(A)).
- j) Bumper, Front:
1) OUT-OF-SERVICE - bumper damage which interferes with tire condition or movement.
2) THREE DAY - loose; broken; protruding components; does not meet thickness requirements (refer to 92 Ill. Adm. Code 451.Appendix A(j)).
- k) Bumper, Rear:
THREE DAY - loose; broken; protruding components; hitchable; does not meet thickness requirements (refer to 92 Ill. Adm. Code 451.Appendix A(k)).
- l) Certificate of Safety:
OUT-OF-SERVICE - missing; expired; voided; over on mileage.
- m) Certification Label, Federal:
WARNING - label is absent, defaced, destroyed, or not permanently affixed; required information is missing (refer to 92 Ill. Adm. Code 451.Appendix A(m)(1)).
- n) Cleanliness:
WARNING - excessive rubble or trash.
- o) Defrosters:
1) OUT-OF-SERVICE - does not function properly between October 2 and April 14.
2) THREE DAY - does not function properly between April 15- and October 1.
- p) Drive Shaft Guard:
WARNING - not solid; not firmly attached; missing.
- q) Emergency Exits:
1) OUT-OF-SERVICE - illegal locks (refer to 92 Ill. Adm. Code 451.Appendix A(q)(4)); blocked; latch broken; exit does not work; both audible and visible alarms on emergency exit door(s) do not operate; no audible alarm on emergency window exits.
2) THREE DAY - binding; no guard; exterior handle is hitchable; door does not seal properly; audible or visible alarms on emergency

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- exit door(s) do not operate.
- r) Engine Compartment:
THREE DAY - excessive oil in engine compartment; engine does not start or run properly.
- s) Entrance Door:
1) OUT-OF-SERVICE - fails to close; view is obstructed; illegal locks; does not open properly; manual override is missing.
2) THREE DAY - binding, jamming, over the center control not operating properly.
3) WARNING - rubber seals are missing or torn.
- t) Exhaust System:
1) OUT-OF-SERVICE - leaks into or under passenger compartment; broken; disconnected; does not discharge in proper location.
2) THREE DAY - shield is not present if required (refer to 92 Ill. Adm. Code 451.Appendix A(s)(1)); not securely attached or supported.
- u) Fenders:
THREE DAY - protruding components; not properly attached.
- v) Fire Extinguisher:
1) OUT-OF-SERVICE - not fully charged; or missing.
2) THREE DAY - seal is broken; improper rating; not mounted in readily accessible location; not labeled if in compartment.
- w) First Aid Kit:
1) THREE DAY - missing.
2) WARNING - kit not complete (refer to 92 Ill. Adm. Code 451.Appendix A(w)); medicine or tourniquet is present; packages are not sealed; not mounted in readily accessible location.
- x) Floor and Floor coverings:
THREE DAY - holes are present; sagging; broken; not firmly attached; torn covering or missing.
- y) Frame and Body:
1) Frame:
OUT-OF-SERVICE - broken; rusted through; structurally unsafe; sagging.
2) Body:
A) THREE DAY - collision damage which is detrimental to the safe operation of the vehicle.
B) WARNING - rusted through; holes are present.
- z) Fuel Storage and Delivery System:
1) OUT-OF-SERVICE - fuel tank is leaking or loose; no fuel tank guard if required (refer to 92 Ill. Adm. Code 451.Appendix A(z)(5)); fuel lines are loose, sagging, rubbing, chaffing, leaking, cracked or broken; fuel cap is missing.
2) THREE DAY - shield is not present if required (refer to 92 Ill. Adm. Code 451.Appendix A(s)(1)); alternate fuel system remains after conversion to gasoline or diesel.
- aa) Grab Handles (Exterior and Interior):
WARNING - handles are missing or loose.
- bb) Heaters:
1) THREE DAY - missing or not firmly attached.

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- 2) WARNING - poor working condition; defective hoses, supports or baffles, rear heater not covered or padded; defective or missing switches.

cc) Hood:

- THREE DAY - does not open; defective latches or hinges.

dd) Horn:

- OUT-OF-SERVICE - missing; defective; not audible.

ee) Instruments and Instrument Panel:

- 1) OUT-OF-SERVICE - brake failure indication gauges or devices do not operate properly or are missing.

- 2) THREE DAY - odometer, directional signal, eight-light flasher indicator, or high beam indicator do not operate properly or are missing; switches are defective or missing.

ff) Lettering:

- WARNING - lettering is missing, incorrect location, not black, distinct, or allowed.

gg) Light(s) (refer to 92 Ill. Adm. Code 451.Appendix A(hh) for proper colors):

- 1) Backup:
THREE DAY - do not function; improper color; broken lens or other component.

- 2) Clearance:
WARNING - do not function; improper color; broken lens or other component.

- 3) Cluster:
WARNING - do not function; improper color; broken lens or other component.

- 4) Flashing 8-light system:
OUT-OF-SERVICE - do not function; improper color; broken lens or other component.

5) Headlights:

- A) OUT-OF-SERVICE - do not function; improper color.
B) WARNING - broken lens.

6) Interior:

- WARNING - do not function; improper color; broken lens or other component.

7) License Plate:

- WARNING - does not function; improper color; broken lens or other component.

8) Marker:

- WARNING - do not function; improper color; broken lens or other component.

9) Parking:

- WARNING - do not function; improper color; broken lens or other component.

10) Stepwell:

- WARNING - does not function; improper color; broken lens or other component.

11) Stop/Brake:

- A) OUT-OF-SERVICE - do not function.

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- B) THREE DAY - improper color; broken lens or other component.
12) Strobe (optional):
WARNING - location is incorrect (refer to 92 Ill. Adm. Code 451.Appendix A(hh)(15)); shielding is present.

13) Tail:

- A) OUT-OF-SERVICE - do not function;

- B) THREE DAY - improper color; broken lens or other component.

14) Turn Signal:

- A) OUT-OF-SERVICE - do not function;

- B) THREE DAY - improper color; broken lens or other component.

hh) Locked Compartment:

- THREE DAY - not readily accessible to driver; lettering or identification is missing; alarm does not function when compartment is locked and engine is running (only when fire extinguisher, warning devices, or first aid kit are stored in locked compartment).

ii) Mirrors:

- 1) OUT-OF-SERVICE - missing;
2) WARNING - broken or cracked; clouded; loose mounting; not approved.

jj) Paint Requirement:

- WARNING - does not meet color requirements (refer to 92 Ill. Adm. Code 451.Appendix A(kk)); poor condition.

kk) Pedals (Accelerator, Brake and Clutch):

- THREE DAY - missing; damaged; altered.

ll) Pre-trip Book:

- WARNING - missing; improper completion or distribution.

mm) Projections:

- 1) Exterior:
THREE DAY - hitchable; dangerous to pedestrians.

2) Interior:

- THREE DAY - not padded (if required); interfere with entering or exiting the bus.

nn) Reflectors:

- 1) THREE DAY - missing.

- 2) WARNING - damaged; not properly located.

oo) Rub Rails:

- WARNING - missing; damaged.

pp) Seat Belts:

- 1) OUT-OF-SERVICE - missing or broken if required (refer to 92 Ill. Adm. Code 451.Appendix A(oo) and Appendix B(oo)); buckle does not operate properly; required number of belts not present (refer to 92 Ill. Adm. Code 451.Appendix B(oo)).

- 2) WARNING - driver's retractor does not operate properly; optional seat belts do not meet requirements.

qq) Seat, Driver's:

- 1) OUT OF SERVICE broken; loose; missing.

- 2) WARNING - damaged covering; not adjustable.

rr) Seat, Passenger's:

- 1) OUT-OF-SERVICE - missing barrier (if required) (refer to 92 Ill.

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Adm. Code 451.Appendix A(e)); loose; broken frame or components.
 2) WARNING - incorrect height (refer to 92 Ill. Adm. Code 451.Appendix A(qq)); damaged covering; loose seat cushion.

ss) Steering System:

1) Exterior:

A) Linkage Components:
 OUT-OF-SERVICE - bent; welded repairs; loose; insecurely mounted or missing.

B) Steering Components:

OUT-OF-SERVICE - loose, leaking, binding, frayed, cracked, inoperative power or power-assist unit or missing.

2) Interior:

A) OUT-OF-SERVICE - column support bracket is loose or missing; excessive up and down movement in steering shaft; excessive damage to steering wheel; spokes are missing.

B) THREE DAY - lash exceeds acceptable limits (refer to 92 Ill. Adm. Code 451.Appendix A(rr)(2)(B)).

tt) Steps, Entrance:

1) OUT-OF-SERVICE - broken, rusted through.
 2) WARNING - sagging, damaged ribbing.

uu) Stop Arm Panel:

1) OUT-OF-SERVICE - missing; ~~does not function~~; lights not functioning; panel does not function.

2) THREE DAY - not operating properly; incorrect panel; ~~lights not functioning~~; lights not flashing alternately.

3) WARNING - incorrect paint (refer to 92 Ill. Adm. Code 451.APPENDIX A(tt)); poor condition.

vv) Sun Visor:

WARNING - broken; damaged; missing.

ww) Suspension:

1) Shocks:

A) OUT-OF-SERVICE - broken; missing; broken mounts.

B) THREE DAY - leakage; loose mounting.

2) Springs:

OUT-OF-SERVICE - broken; damaged; loose; missing.

xx) Tow Hooks (optional):

WARNING - extend beyond bumper; not securely attached.

yy) Warning Devices:

WARNING - missing; reflectors are cracked or broken; flags are ripped or torn; emergency triangles are not operational.

zz) Wheels:

1) Housing:

A) OUT-OF-SERVICE - tire rubs against any portion of chassis, body or bumper.

B) THREE DAY - do not meet clearance requirements; not firmly secured; holes are present.

2) Rim:

OUT-OF-SERVICE - cracked; broken; elongated holes; missing lug nuts; lock ring damaged; bent.

3) Tires (refer to 92 Ill. Adm. Code 451.Appendix A (bb))(3)):

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A) Steering axle:

1) OUT-OF-SERVICE - regrooved, recapped, retreaded; restricting markings are present; insufficient tread depth; broken or cut cord; any sign of carcass failure; tires are not same construction; regular and mud/snow tread are mixed; radial and bias ply tires are used incorrectly; bias tube installed on radial; valve stem is damaged.

ii) WARNING - flat tire.

B) Drive axle:

1) OUT-OF-SERVICE - ~~flat~~; missing; insufficient tread depth; broken or cut cord.

ii) THREE DAY - radial and bias ply tires are used incorrectly; regular and mud/snow tread are improperly mixed on same axle; tire exceeds diameter of its mate; regrooved or recut on tire not labeled "regroovable"; bias tube installed on radial; damaged valve stem.

iii) WARNING - flat tire.

aaa) Windows:

1) OUT-OF-SERVICE - windshield is missing or shattered.

2) THREE DAY - not properly marked with "AS" rating (refer to 92 Ill. Adm. Code 451.Appendix A (ccc)); operating mechanisms do not function; alarms do not function, if required; glass is cracked or broken; visibility is obstructed; emergency opening requirements are not met (refer to 92 Ill. Adm. Code 451.Appendix A (ccc)(1) and (3)); not firmly sealed or attached; 1 1/2 inches or more "star chip"; missing; incorrect size.

3) WARNING - stop lines are missing.

bbb) Windshield Washer:

WARNING - does not operate properly; no fluid.

ccc) Windshield Wiper:

1) OUT-OF-SERVICE - wipers do not operate.

2) WARNING - does not cover entire cleaning area; blades are damaged; does not park properly.

ddd) Wiring (Interior and Exterior):

WARNING - insulation is broken, frayed, or missing; fuses or breakers are not present (refer to 92 Ill. Adm. Code 451.Appendix A(p)); not securely attached; not on proper circuit.

(Source: Amended at 18 Ill. Reg. _____, effective _____)

Section 456.70 Violation Criteria for Religious Organization Buses and Buses Registered as Charitable Vehicles

a) Brakes:

1) OUT-OF-SERVICE - any problem found with the service brake system.
 2) THREE DAY - any problem found with emergency brake system.

b) Bumpers:

1) OUT-OF-SERVICE - missing.

DEPARTMENT OF TRANSPORTATION

NOTICE OF ADOPTED AMENDMENTS

- c) 2) THREE DAY - loose; broken; protruding components.
Certificate of Safety:
- d) OUT-OF-SERVICE - missing; expired; or voided.
Emergency Exits:
1) OUT-OF-SERVICE - obstructed; does not comply with required number of exits (refer to 92 Ill. Adm. Code 448.Appendix C); latch broken; does not open fully; missing components.
2) THREE DAY - binding; does not seal properly.
- e) Exhaust System:
OUT-OF-SERVICE - leaks into or under passenger compartment; broken; disconnected; not securely attached.
- f) Fenders:
THREE DAY - protruding components; not securely attached; missing.
- g) Fire Extinguisher:
1) OUT-OF-SERVICE - not fully charged; missing.
2) THREE DAY - seal is broken; not mounted in readily accessible location; not labeled if in compartment; improper rating.
- h) Floor, Floor Covering, Firewall and Occupant Compartment:
THREE DAY - holes are present; sagging; torn covering.
- i) Frame and Body:
1) Frame:
OUT-OF-SERVICE - broken; rusted through; structurally unsafe; sagging.
2) Body:
WARNING - rusted through; protruding object; any component loose, missing or broken.
- j) Fuel Storage and Delivery System:
OUT-OF-SERVICE - fuel tank is leaking or loose; fuel lines are loose, leaking, sagging, rubbing, chaffing, cracked or broken; fuel cap is missing.
- k) Hood:
THREE DAY - does not open; defective latches or hinges.
- l) Horn:
OUT-OF-SERVICE - missing; defective; not audible.
- m) Lettering:
WARNING - signs or words "SCHOOL BUS"; emergency exits are not labelled (if required); operating instructions are not present on emergency exits (if required); "NO STANDEES" not present (if required) (refer to 92 Ill. Adm. Code 448.Appendix C).
- n) Light(s):
1) Headlamps:
A) OUT-OF-SERVICE - do not function.
B) WARNING - broken lens on replaceable light source; improper color.
2) License Plate:
WARNING - does not function; improper color; broken lens or other component.
3) Parking/Marker:
WARNING - do not function; improper color; broken lens or other

DEPARTMENT OF TRANSPORTATION

NOTICE OF ADOPTED AMENDMENTS

- component.
4) Stop/Brake:
A) OUT-OF-SERVICE - do not function.
B) THREE DAY - improper color; broken lens or other component.
- 5) Tail:
A) OUT-OF-SERVICE - do not function.
B) THREE DAY - improper color; broken lens or other component.
- 6) Turn Signal:
A) OUT-OF-SERVICE - do not function.
B) THREE DAY - improper color; broken lens or other component.
- 7) Unison Flashing Amber Warning System (Optional on Religious Organization Buses only):
WARNING - lens is improper color; system flashes alternately; not made inoperative if charitable bus.
- o) Mirrors:
1) OUT-OF-SERVICE - missing.
2) WARNING - broken or cracked; clouded; loose mounting.
- p) Paint:
WARNING - school bus yellow.
- q) Reflectors:
1) THREE DAY - missing.
2) WARNING - damaged; not properly located (refer to 92 Ill. Adm. Code 448.Appendix A).
- r) Seats:
OUT-OF-SERVICE - driver's seat adjusting mechanism slips out of place; any seat is loose or broken.
- s) Steering System:
1) Exterior:
OUT-OF-SERVICE - linkage components are bent; welded repairs; loose; insecurely mounted or missing. Steering components are loose, leaking, frayed, cracked, inoperative power unit or missing.
2) Interior:
A) OUT-OF-SERVICE - column support bracket is loose or missing; excessive up and down movement in steering shaft; excessive damage to steering wheel; spokes are missing.
B) THREE DAY - lash exceeds acceptable limits (refer to 92 Ill. Adm. Code 448.Appendix A).
- t) Stop Arm Panel:
WARNING - present.
- u) Suspension:
1) Shocks:
A) OUT-OF-SERVICE - broken; missing; broken mounts.
B) THREE DAY - leakage; loose mounting.
2) Springs:
OUT-OF-SERVICE - missing; broken; damaged, loose.
- v) Warning Devices:
WARNING - missing; reflectors are cracked or broken; flags are ripped or torn; emergency triangles are not operational.
- w) Wheels:

DEPARTMENT OF TRANSPORTATION

NOTICE OF ADOPTED AMENDMENTS

- 1) Rim:
OUT-OF-SERVICE - cracked; broken; elongated holes; missing lug nuts; lock ring damaged; bent.
- 2) Tires (refer to 92 Ill. Adm. Code 448.Appendix A):
A) Steering axle:
i) OUT-OF-SERVICE - flat; regrooved, recapped, retreaded; restricting markings are present; insufficient tread depth; broken or cut cord; any sign of carcass failure; tires are not same construction; regular and mud/snow tread are mixed; radial and bias ply tires are used incorrectly; bias tube installed on radial; valve stem is damaged.
ii) WARNING - flat tire.
- B) Drive axle:
i) OUT-OF-SERVICE - missing; insufficient tread depth; broken or cut cord.
ii) THREE DAY - radial and bias ply tires are used incorrectly; regular and mud/snow tread are improperly mixed on same axle; tire exceeds diameter of its mate; regrooved or recut on tire not labeled "regroovable"; bias tube installed on radial; damaged valve stem.
iii) WARNING - flat tire.
- x) Windows:
THREE DAY - not properly marked with "AS" rating (refer to 92 Ill. Adm. Code 448.Appendix A); operating mechanisms do not function; glass is cracked or broken; visibility is obstructed; emergency opening requirements are not met (refer to 92 Ill. Adm. Code 448.Appendix C); not firmly sealed or attached.
- y) Windshield washer:
WARNING - does not operate properly; no fluid.
- z) Windshield Wiper:
1) OUT-OF-SERVICE - wipers do not operate.
2) THREE DAY - does not cover entire cleaning area; blades are damaged; does not park properly.
- aa) Wiring (Interior and Exterior):
Insulation:
WARNING - broken, frayed, not securely attached or missing.

(Source: Amended at 18 Ill. Reg. _____, effective _____)

COMMISSIONER OF BANKS AND TRUST COMPANIES

NOTICE OF EMERGENCY RULE

- 1) Heading of the Part: Unimpaired Capital and Unimpaired Surplus
- 2) Code Citation: 38 Ill. Adm. Code 335
- 3) Section Number: Emergency Action:
335.10 New Section
335.20 New Section
335.30 New Section
- 4) Statutory Authority: Section 2 of the Illinois Banking Act, 205 ILCS 5/2 (1992), as amended by P.A. 88-546, effective June 29, 1994.
- 5) Effective Date of Rule: July 8, 1994
- 6) If this Emergency Rule is to expire before the end of the 150-day period, please specify the date on which it is to expire: N/A
- 7) Date Filed in Agency's Principal Office: July 8, 1994
- 8) Reason for Emergency: The enactment of P.A. 88-546, effective June 29, 1994, makes it imperative that the Commissioner of Banks and Trust Companies provide immediate guidance to state-chartered banks with respect to the calculation of their legal lending and investment limits. P.A. 88-546 substantially revised the manner in which banks calculate such limits. The calculation of lending and investment limits is critical in determining when loans and investments are in compliance with or in violation of the applicable provisions of the Illinois Banking Act. Specifically, P.A. 88-546 amends Section 2 of the Illinois Banking Act to state that "unimpaired capital and unimpaired surplus," upon which lending and investment limits are based, shall include a bank's Tier 1 Capital and Tier 2 Capital "plus such other shareholder equity as may be included by regulation of the Commissioner." This emergency Rule is necessary to inform banks as to the additional shareholder equity that is included in the definition of "unimpaired capital and unimpaired surplus." In the absence of this emergency rule, or during the time that a non-emergency rule would go through the rulemaking process, state-chartered banks would be prohibited from including this additional shareholder equity in the calculation of their lending and investment limits. Such a result would be contrary to the purpose of P.A. 88-546, the intent of which is to allow state-chartered banks to include the same elements that national banks include in determining their lending and investment limits. National banks are allowed to include the type of shareholder equity that is the subject of this Rule. In order to accomplish the objective of P.A. 88-546 and to avoid confusion and possible inadvertent violations of the Illinois Banking Act's lending and investment limits, it is essential that the additional shareholder equity in question be included in the calculation of "unimpaired capital and unimpaired surplus" by emergency Rule, pursuant to the authority of P.A. 88-546.

COMMISSIONER OF BANKS AND TRUST COMPANIES

NOTICE OF EMERGENCY RULE

9) Complete Description of the Subjects and Issues Involved: This emergency Rule includes the balance of the allowance for loan and lease losses, otherwise excluded from the definitions of "Tier 1 Capital" and "Tier 2 Capital," as additional shareholder equity that is added to Tier 1 Capital and Tier 2 Capital in the calculation of a state-chartered bank's lending and investment limits.

10) Are there any Proposed Amendments pending to this Part? No

11) Statements of Statewide Policy Objectives? This rulemaking does not create or expand a State mandate.

12) Information and questions regarding this Emergency Rule shall be directed to:

Bruce J. Baker
General Counsel
Illinois Commissioner of Banks and Trust Companies
310 South Michigan Avenue
Suite 2130
Chicago, Illinois 60604
(312) 793-2043

The full text of the Emergency Rule begins on the next page:

COMMISSIONER OF BANKS AND TRUST COMPANIES

NOTICE OF EMERGENCY RULE

TITLE 38: FINANCIAL INSTITUTIONS
CHAPTER II: COMMISSIONER OF BANKS AND TRUST COMPANIES

PART 335

UNIMPAIRED CAPITAL AND UNIMPAIRED SURPLUS

Section

335.10 Purpose

EMERGENCY

335.20 Definitions

EMERGENCY

335.30 General Rule

EMERGENCY

AUTHORITY: Implementing Section 2 of the Illinois Banking Act, 205 ILCS 5/2 (1992), as amended by P.A. 88-546, effective June 29, 1994.

SOURCE: Emergency rule adopted at 18 Ill. Reg. _____, effective _____.

Section 335.10 Purpose

EMERGENCY

Section 2 of the Illinois Banking Act defines "unimpaired capital and unimpaired surplus" as including a bank's "Tier 1 Capital and Tier 2 Capital plus such other shareholder equity as may be included by regulation of the Commissioner." "Unimpaired capital and unimpaired surplus" is used as the basis for determining a state bank's legal lending and investment limits. The purpose of the Rule is to add the balance of a state bank's allowance for loan and lease losses, otherwise excluded from Tier 1 Capital and Tier 2 Capital, as additional shareholder equity included in "unimpaired capital and unimpaired surplus." This addition is consistent with the objective of P.A. 88-546 to permit state banks to use the same elements that national banks use in calculating lending and investment limits, and it will provide needed clarity and consistency regarding the calculation and application of lending and investment limits by state banks.

Section 335.20 Definitions

EMERGENCY

"Allowance for loan and lease losses" has the meaning assigned to that term in regulations promulgated for the appropriate federal banking agency of a state bank, as those regulations are now or hereafter amended.

"Appropriate federal banking agency" means the Federal Deposit Insurance Corporation, the Federal Reserve Bank of Chicago, or the Federal Reserve Bank of St. Louis, as determined by federal law.

COMMISSIONER OF BANKS AND TRUST COMPANIES

NOTICE OF EMERGENCY RULE

"Tier 1 Capital" and "Tier 2 Capital" have the meanings assigned to those terms in regulations promulgated for the appropriate federal banking agency of a state bank, as those regulations are now or hereafter amended.

Section 335.30 General Rule
EMERGENCY

For the purposes of Section 2 of the Illinois Banking Act, "unimpaired capital and unimpaired surplus" shall include the balance of the state bank's allowance for loan and lease losses not included in the state bank's Tier 1 Capital and Tier 2 Capital.

DEPARTMENT OF AGRICULTURE

NOTICE OF PUBLIC HEARING ON PROPOSED AMENDMENTS

- 1) Heading of the Part: Animal Control Act
- 2) Code Citation: 8 Ill. Adm. Code 30
- 3) Register Citation to Notice of Proposed Amendments:
18 Ill. Reg. 8972; June 24, 1994
- 4) Date, Time and Location of Public Hearing:
Thursday, August 4, 1994, 10:00 a.m.
Department of Agriculture
Agriculture Building, State Fairgrounds
Springfield, IL 62794-9281
- 5) As announced in 18 Ill. Reg. 8972, those individuals who are unable to attend the public hearing but wish to comment on the proposed Amendments should mail written comments to the Director at the above address postmarked no later than July 28, 1994 so they will be available for consideration at the public hearing. All comments received will be fully considered by the agency and the Advisory Board of Livestock Commissioners.

The public hearing on the proposed rulemaking will run concurrent with a public meeting of the Advisory Board of Livestock Commissioners.

DEPARTMENT OF AGRICULTURE

DEPARTMENT OF AGRICULTURE

NOTICE OF PUBLIC HEARING ON PROPOSED AMENDMENTS

NOTICE OF PUBLIC HEARING ON PROPOSED AMENDMENTS

1) Heading of the Part: Animal Diagnostic Laboratory Act

1) Heading of the Part: Animal Welfare Act

2) Code Citation: 8 Ill. Adm. Code 110

2) Code Citation: 8 Ill. Adm. Code 25

3) Register Citation to Notice of Proposed Amendments:

3) Register Citation to Notice of Proposed Amendments:

18 Ill. Reg. 8981; June 24, 1994

18 Ill. Reg. 8993; June 24, 1994

4) Date, Time and Location of Public Hearing:

4) Date, Time and Location of Public Hearing:

Thursday, August 4, 1994, 10:00 a.m.

Thursday, August 4, 1994, 10:00 a.m.

Department of Agriculture
Agriculture Building, State Fairgrounds
Springfield, IL 62794-9281

Department of Agriculture
Agriculture Building, State Fairgrounds
Springfield, IL 62794-9281

5) As announced in 18 Ill. Reg. 8981, those individuals who are unable to attend the public hearing but wish to comment on the Proposed Amendments should mail written comments to the Director at the above address postmarked no later than July 28, 1994 so they will be available for consideration at the public hearing. All comments received will be fully considered by the agency and the Advisory Board of Livestock Commissioners.

5) As announced in 18 Ill. Reg. 8993, those individuals who are unable to attend the public hearing but wish to comment on the Proposed Amendments should mail written comments to the Director at the above address postmarked no later than July 28, 1994 so they will be available for consideration at the public hearing. All comments received will be fully considered by the agency and the Advisory Board of Livestock Commissioners.

The public hearing on the proposed rulemaking will run concurrent with a public meeting of the Advisory Board of Livestock Commissioners.

The public hearing on the proposed rulemaking will run concurrent with a public meeting of the Advisory Board of Livestock Commissioners.

DEPARTMENT OF AGRICULTURE

NOTICE OF PUBLIC HEARING ON PROPOSED AMENDMENTS

- 1) Heading of the Part: Horsemeat
- 2) Code Citation: 8 Ill. Adm. Code 70

- 3) Register Citation to Notice of Proposed Amendments:

18 Ill. Reg. 9003; June 24, 1994

- 4) Date, Time and Location of Public Hearing:

Thursday, August 4, 1994, 10:00 a.m.
Department of Agriculture
Agriculture Building, State Fairgrounds
Springfield, IL 62794-9281

- 5) As announced in 18 Ill. Reg. 9003, those individuals who are unable to attend the public hearing but wish to comment on the Proposed Amendments should mail written comments to the Director at the above address postmarked no later than July 28, 1994 so they will be available for consideration at the public hearing. All comments received will be fully considered by the agency and the Advisory Board of Livestock Commissioners.

The public hearing on the proposed rulemaking will run concurrent with a public meeting of the Advisory Board of Livestock Commissioners.

DEPARTMENT OF AGRICULTURE

NOTICE OF PUBLIC HEARING ON PROPOSED AMENDMENTS

- 1) Heading of the Part: Humane Care of Animals Act
- 2) Code Citation: 8 Ill. Adm. Code 35

- 3) Register Citation to Notice of Proposed Amendments:
18 Ill. Reg. 9008; June 24, 1994

- 4) Date, Time and Location of Public Hearing:

Thursday, August 4, 1994, 10:00 a.m.
Department of Agriculture
Agriculture Building, State Fairgrounds
Springfield, IL 62794-9281

- 5) As announced in 18 Ill. Reg. 9008, those individuals who are unable to attend the public hearing but wish to comment on the Proposed Amendments should mail written comments to the Director at the above address postmarked no later than July 28, 1994 so they will be available for consideration at the public hearing. All comments received will be fully considered by the agency and the Advisory Board of Livestock Commissioners.

The public hearing on the proposed rulemaking will run concurrent with a public meeting of the Advisory Board of Livestock Commissioners.

DEPARTMENT OF AGRICULTURE

NOTICE OF PUBLIC HEARING ON PROPOSED AMENDMENTS

- 1) Heading of the Part: Humane Slaughter of Livestock
- 2) Code Citation: 8 Ill. Adm. Code 50
- 3) Register Citation to Notice of Proposed Amendments:

18 Ill. Reg. 9011; June 24, 1994

- 4) Date, Time and Location of Public Hearing:

Thursday, August 4, 1994, 10:00 a.m.
Department of Agriculture
Agriculture Building, State Fairgrounds
Springfield, IL 62794-9281

- 5) As announced in 18 Ill. Reg. 9011, those individuals who are unable to attend the public hearing but wish to comment on the Proposed Amendments should mail written comments to the Director at the above address postmarked no later than July 28, 1994 so they will be available for consideration at the public hearing. All comments received will be fully considered by the agency and the Advisory Board of Livestock Commissioners.

The public hearing on the proposed rulemaking will run concurrent with a public meeting of the Advisory Board of Livestock Commissioners.

DEPARTMENT OF AGRICULTURE

NOTICE OF PUBLIC HEARING ON PROPOSED AMENDMENTS

- 1) Heading of the Part: Illinois Dead Animal Disposal Act
- 2) Code Citation: 8 Ill. Adm. Code 90
- 3) Register Citation to Notice of Proposed Amendments:

18 Ill. Reg. 9018; June 24, 1994

- 4) Date, Time and Location of Public Hearing:

Thursday, August 4, 1994, 10:00 a.m.
Department of Agriculture
Agriculture Building, State Fairgrounds
Springfield, IL 62794-9281

- 5) As announced in 18 Ill. Reg. 9018, those individuals who are unable to attend the public hearing but wish to comment on the Proposed Amendments should mail written comments to the Director at the above address postmarked no later than July 28, 1994 so they will be available for consideration at the public hearing. All comments received will be fully considered by the agency and the Advisory Board of Livestock Commissioners.

The public hearing on the proposed rulemaking will run concurrent with a public meeting of the Advisory Board of Livestock Commissioners.

DEPARTMENT OF AGRICULTURE

NOTICE OF PUBLIC HEARING ON PROPOSED AMENDMENTS

1) Heading of the Part: Refrigerated Warehouses Act

2) Code Citation: 8 Ill. Adm. Code 515

3) Register Citation to Notice of Proposed Amendments:

18 Ill. Reg. 9033; June 24, 1994

4) Date, Time and Location of Public Hearing:

Thursday, August 4, 1994, 10:00 a.m.

Department of Agriculture
Agriculture Building, State Fairgrounds
Springfield, IL 62794-9281

5) As announced in 18 Ill. Reg. 9033, those individuals who are unable to attend the public hearing but wish to comment on the Proposed Amendments should mail written comments to the Director at the above address postmarked no later than July 28, 1994 so they will be available for consideration at the public hearing. All comments received will be fully considered by the agency and the Advisory Board of Livestock Commissioners.

The public hearing on the proposed rulemaking will run concurrent with a public meeting of the Advisory Board of Livestock Commissioners.

DEPARTMENT OF AGRICULTURE

REGULATORY AGENDA

Heading of the Part: Swine Disease Control and Eradication Act

Code Citation: 8 Ill. Adm. Code 105

A description of the rule(s): Upon the anticipated enactment by the Governor of proposed legislation amending the Illinois Swine Disease Control and Eradication Act, the Department is considering proposing amendments to 8 Ill. Adm. Code 105, Section 105.30, Swine Entering Illinois for Breeding Purposes, and Section 105.90, Feral Swine. Amendments to both sections will add the requirement that a permit issued by the Department accompany all feral swine and swine for breeding purposes before being allowed to enter Illinois. Additional language in both sections concerning the permits will address the following: The permits shall be issued by telephoning or writing the Department; the applicant shall provide name and mailing address of Illinois destination, name and address of consignor, number of swine in shipment; and grounds for refusal to issue a permit based on violation of the Act or any rule promulgated thereto or the presence of a disease which might endanger the Illinois swine industry.

Statutory Authority: Illinois Swine Disease Control and Eradication Act [510 ILCS 100].

Schedule of dates for hearings, meetings, or other opportunities for public participation: A public hearing will be held on August 4, 1994, at 10:00 a.m., Department of Agriculture Building, State Fairgrounds, Springfield, Illinois. Persons unable to attend the hearing may present their comments on the proposed rulemaking in writing to Dr. Richard Hull, Bureau of Animal Health, Department of Agriculture, State Fairgrounds, P.O. Box 19281, Springfield, IL 62794-9281. Mailed comments must be postmarked no later than July 28, 1994 so they will be available for consideration at the public hearing. The public hearing on the proposed rulemaking will run concurrent with a public meeting of the Advisory Board of Livestock Commissioners.

Date Agency anticipates submitting to the Administrative Code Division a Notice of Proposed Amendments for publication in the Illinois register: August, 1994

Information concerning this regulatory agenda shall be directed to:

Name: Dr. Richard Hull, Bureau Chief

Address: Department of Agriculture, Bureau of Animal Health, State Fairgrounds, P.O. Box 19281, Springfield, IL 62794-9281

Telephone: 217/782-4944

Will this rule amendment affect small businesses? There should be no significant negative impact on small businesses as there will be no fee for the permit issued by the Department for the importation of the swine.

Other pertinent information concerning this amendment: "Rules and regulations of the Department of Agriculture pertaining to the prevention, elimination and control of diseases of domestic animals and poultry shall be submitted to the

DEPARTMENT OF AGRICULTURE

REGULATORY AGENDA

Advisory Board of Livestock Commissioners for approval at its duly called meeting" (20 ILCS 5/6.01). Since a meeting of the advisory board has already been scheduled to consider proposed rulemaking by the Department as printed in the June 24, 1994 Illinois Register, the advisory board will be asked to give tentative approval of proposed amendments to the Swine Disease Control and Eradication Act regulations which the Department is considering proposing as soon as amendments to the statute are signed into law by the Governor. Amendments to the statute have been introduced to and passed by both the Senate and House of Representatives (SB 1230).

DEPARTMENT OF COMMERCE AND COMMUNITY AFFAIRS

NOTICE OF REGULATORY FLEXIBILITY IMPACT ANALYSIS
RULES PROMULGATED BY STATE AGENCIES THAT MAY IMPACT SMALL BUSINESS

Name of Agency: Employment Security

Heading of the Part: Employment

Code Citation: 56 Ill. Adm. Code 2732

Sections Involved: 2732.235 2732.305

Notice of Proposal Published in Illinois Register: June 24, 1994

Statutory Authority: Unemployment Insurance Act, 820 ILCS 405/205, 206, 211.5, 212, 215, 217, 219, 225, 1700, and 1701

Information concerning this Regulatory Flexibility Impact Analysis shall be directed to:

Name: Linda D. Brand

Address: Department of Commerce and Community Affairs
620 E. Adams, Springfield, IL 62701

Telephone: (217) 785-6354

Other pertinent information regarding these rules: After initial scrutiny, the Department of Commerce and Community Affairs has determined that the above proposed rule may impact small businesses. Publication of this notice serves to both provide the general public with information regarding specifics of the proposed rule, on request, as well as elicit comments from interested parties. All comments will be considered as the analysis is formulated.

JOINT COMMITTEE ON ADMINISTRATIVE RULES
ILLINOIS GENERAL ASSEMBLY
SECOND NOTICES RECEIVED

The following second notices were received by the Joint Committee on Administrative Rules during the period of July 5, 1994 through July 11, 1994 and have been scheduled for review by the Committee at its July 19, 1994 or August 16, 1994 meeting. Other items not contained in this published list may also be considered. Members of the public wishing to express their views with respect to a rule should submit written comments to the Committee on Administrative Rules, 700 Stratton Office Bldg., Springfield, IL 62706.

Second Notice Expires	Agency and Rule	Start of First Notice	JCAR Meeting
8/14/94	Secretary of State, General Provisions (1 Ill Adm Code 100)	5/6/94 18 Ill Reg 7087	7/19/94
8/24/94	Pollution Control Board, Requirements for New Steel and Foundry Industry (35 Ill Adm Code 817)	4/29/94 18 Ill Reg 6246	8/16/94
8/24/94	Department of Conservation, White-Tailed Deer Hunting by Use of Firearms (17 Ill Adm Code 650)	5/13/94 18 Ill Reg 7180	8/16/84
8/24/94	Department of Conservation, White-Tailed Deer Hunting Season by Use of Muzzleloading Rifles (17 Ill Adm Code 660)	5/13/94 18 Ill Reg 7183	8/16/94
8/24/94	Department of Transportation, Minimum Safety Standards for Construction of School Buses Used in Special Education Transportation (92 Ill Adm Code 444)	4/29/94 18 Ill Reg 6318	8/16/94
8/24/94	Department of Transportation, Minimum Safety Standards for Construction of Type II School Buses (92 Ill Adm Code 442)	4/29/94 18 Ill Reg 6304	8/16/94
8/24/94	Department of Transportation, Minimum Safety Standards for Construction of Type I School Buses (92 Ill Adm Code 440)	4/29/94 18 Ill Reg 6272	8/16/94
8/24/94	Department of Revenue, Retailers' Occupation Tax (86 Ill Adm Code 130)	5/6/94 18 Ill Reg 6684	8/16/94

DEPARTMENT OF COMMERCE AND COMMUNITY AFFAIRS

NOTICE OF REGULATORY FLEXIBILITY IMPACT ANALYSIS
RULES PROMULGATED BY STATE AGENCIES THAT MAY IMPACT SMALL BUSINESS

Name of Agency: Office of the State Fire Marshal
Heading of the Part: Storage, Transportation, Sale and Use of Petroleum Other Regulated Substances
Code Citation: 41 Ill. Adm. Code 170
Sections Involved: 170.10 thru 170.1300 and Table A
Notice of Proposal Published in Illinois Register: June 24, 1994
Statutory Authority: Gasoline Storage Act, 430 ILCS 15/2
Information concerning this Regulatory Flexibility Impact Analysis shall be directed to:

Name: Linda D. Brand
Address: Department of Commerce and Community Affairs
620 E. Adams, Springfield, IL 62701
Telephone: (217) 785-6354

Other pertinent information regarding these rules: After initial scrutiny, the Department of Commerce and Community Affairs has determined that the above proposed rule may impact small businesses. Publication of this notice serves to both provide the general public with information regarding specifics of the proposed rule, on request, as well as elicit comments from interested parties. All comments will be considered as the analysis is formulated.

JOINT COMMITTEE ON ADMINISTRATIVE RULES
ILLINOIS GENERAL ASSEMBLY
SECOND NOTICES RECEIVED

8/24/94	Illinois Racing Board, Medication (11 Ill Adm Code 509)	4/15/95 18 Ill Reg 5795	8/16/94
8/24/94	Illinois Racing Board, General Licensee Rules (11 Ill Adm Code 1313)	5/6/94 18 Ill Reg 6680	8/16/94

PROCLAMATION
94-356
WEEK OF UNITY/DAY OF UNITY

Whereas, the fabric of our society is made stronger through good relations between people of different races and ethnic groups; and

Whereas, the City of Chicago has many groups and organizations working to bring people together through work, play, education, prayer, and civic activities; and

Whereas, the Chicago Commission on Human Relations and the Human Relations Foundation (a supporting organization of the Chicago Community Trust), in coordination with other organizations throughout the city, will celebrate a "Week of Unity" August 21-28 and a "Day of Unity" August 25; and

Whereas, civic, religious, and corporate leaders, as well as many others, will join in support of unity, peace, and justice at various events to be held throughout the week;

Therefore, I, Jim Edgar, Governor of the State of Illinois, proclaim August 21-28, 1994, as a WEEK OF UNITY and August 25, 1994, as a DAY OF UNITY in Illinois in recognition of the significant role human relations plays in the future of our nation.

Issued by the Governor July 5, 1994.

Filed with the Secretary of State July 8, 1994.

94-357
FLOOD AWARENESS DAY

Whereas, the Great Flood of 1993 caused more than \$12 billion nationally in property and crop damage; and

Whereas, Midwest flooding affected the largest geographic area ever to be declared a presidential disaster area, encompassing 360 square miles throughout nine states; and

Whereas, in Illinois, 43 counties received state and federal disaster designation due to severe flooding in 1993; and

Whereas, 900,000 acres of Illinois farmland were inundated by flooding last year and temporary housing assistance was provided for the 33,000 Illinois citizens forced out of their homes; and

Whereas, 12.5 million sandbags were filled and used to help minimize the damage caused by the raging water; and

Whereas, tens of thousands of Illinois residents volunteered and correctional inmates worked a total of 13,000 eight-hour days with an additional 135,000 days provided by the Illinois National Guard for flood fighting activities last year; and

Whereas, there are certain measures that homeowners and business owners can now take to minimize or reduce the losses from flooding, including buying flood insurance; and

Whereas, the State of Illinois desires to recognize the outstanding efforts of Illinois citizens for fighting last year's floods;

Therefore, I, Jim Edgar, Governor of the State of Illinois, proclaim July 9, 1993, as FLOOD AWARENESS DAY in Illinois and reaffirm this state's commitment to assist Illinois citizens who have chosen to relocate out of the floodplain or to take other steps to mitigate against future flooding.

Issued by the Governor July 6, 1994.

Filed with the Secretary of State July 9, 1994.

94-358

DR. R.H. HARRIS DAY

Whereas, Dr. R.H. Harris is an innovative and influential leader in the history of gospel quartets; and

Whereas, he has trained and inspired many gospel singers and groups across the country, including the late Sam Cook; and

Whereas, he composed "Everybody Ought To Love Their Soul" and "I Want Jesus To Walk Around Me" when he was nine-years-old. In 1923, the latter of these was classified and accepted in the National Library of Congress as the first gospel song with a rhythmic beat; and

Whereas, in 1936, Dr. R.H. Harris joined the Soul Stirrers and introduced mainstream techniques of delayed timing and ad-libbing to the quartet. He combined slurs, note-bends, falsetto, yodels, and preacher growls with such sureness and power that they became his trademarks; and

Whereas, Dr. Harris and the other founders of the Soul Stirrers were inducted into the International Music Hall of Fame on January 16, 1989; and

Whereas, Dr. Harris has been an active contributor to many religious organizations. He served as President of the National quartet Convention of America for more than 43 years;

Therefore, I, Jim Edgar, Governor of the State of Illinois, proclaim July 11, 1994, as DR. R.H. HARRIS DAY in recognition of his rich and innovative contributions to gospel music.

Issued by the Governor July 7, 1994.

Filed with the Secretary of State July 8, 1994.

94-359

DR. STEVEN G. ECONOMOU DAY

Whereas, Dr. Steven G. Economou is an extraordinary surgeon and professor at Rush-Presbyterian-St. Luke's Medical Center; and

Whereas, Dr. Economou was a full professor at Rush University for 10 years when, in 1981, he was appointed the Jack Fraser Smith Professor and Associate Chairman of the Department of General Surgery at Rush University; and

Whereas, in 1984, Dr. Economou became Chairman of the Department of General Surgery and relinquished the Smith Professorship to accept an appointment as the Helen Shedd Keith Professor of General Surgery; and

Whereas, a grant from one of his patients created the endowment for the Professorship in General Surgery that the hospital trustees established in Dr. Economou's name, the highest distinction for a professional in the world of academic medicine; and

Whereas, this honor is testament to Dr. Economou's lifelong devotion to quality and compassionate patient care; to the investigation of the cause, diagnosis, and treatment of disease; and to educating and mentoring tomorrow's health care professionals;

Therefore, I, Jim Edgar, Governor of the State of Illinois, proclaim July 11, 1994, as DR. STEVEN G. ECONOMOU DAY in Illinois.

Issued by the Governor July 7, 1994.

Filed with the Secretary of State July 8, 1994.

94-360

WILEYS' DAY

Whereas, the Wiley Circle of Love Foundation will hold its First Annual In-tribute celebration on July 9, 1994; and

Whereas, the In-tribute celebration is a one-day event honoring those who have made substantial contributions to the family and community; and

Whereas, the foundation strives to meet the many needs of the family by promoting and recognizing outstanding service; and

Whereas, for this First Annual celebration, honoree Clemensteen Wiley was chosen for her dedication in attending to the sick; for being a dedicated Sunday school teacher and worker in the church; for her participation in the prison ministry; for her support of those in need and Third World Feed programs; for being a "surrogate mother" by operating an open door policy; and for being rooted in strong Christian values and passing those values on to her 19 children, 73 grandchildren, and 18 great-grandchildren. Her life exemplifies generosity and love for all;

Therefore, I, Jim Edgar, Governor of the State of Illinois, proclaim July 9, 1994, as WILEYS' DAY in Illinois.

Issued by the Governor July 7, 1994.

Filed with the Secretary of State July 8, 1994

ACTION CODES	
A - Adopted Rule	P - Proposed Rule
AR - Adopted Repealer	PP - Prohibited Filing Order by JCAR*
C - Notice of Corrections	PP - Peremptory or Court Ordered Rules
CC - Codification Changes	PR - Proposed Repealer
E - Emergency Rule	R - Refusal to meet JCAR* Objection
ER - Emergency Repealer	RC - Statement of Recommendation
M - Modification to meet JCAR*	S - Suspension ordered by JCAR*
O - JCAR* Statement Of Objections	W - Withdrawal to meet JCAR*
RQ - Request for Correction	Objections
EC - Expedited Corrections	

*Joint Committee on Administrative Rules

ALL RULES ARE LISTED BY PART NUMBER AND HEADING ONLY. (FOR ACTION ON SPECIFIC SECTIONS, PLEASE REFER TO THE SECTIONS AFFECTED INDEX.) IF THERE ARE ANY QUESTIONS, PLEASE CONTACT THE ADMINISTRATIVE CODE DIVISION AT (217) 782-7017.

AGING, DEPARTMENT ON

89 Ill. Adm. Code 240	Community Care Program (P-14225/93;A-609) (E-5355) (P-5027)
89 Ill. Adm. Code 260	Long-Term Care Insurance Partnership Demonstration Program (P-3802; A-9895)
89 Ill. Adm. Code 230	Older Americans Act Program (P-5720)

AGRICULTURE, DEPARTMENT OF

8 Ill. Adm. Code 30	Animal Control Act (P-8972)
8 Ill. Adm. Code 110	Animal Diagnostic Laboratory Act (P-14717/93;A-1825) (P-8981) (P-9027)
8 Ill. Adm. Code 25	Animal Welfare Act (P-8993)
8 Ill. Adm. Code 75	Bovine Brucellosis (P-14728/93;A-1833)
8 Ill. Adm. Code 257	Cooperative Groundwater Protection Program (P-14288/93; A-205)
8 Ill. Adm. Code 20	Definitions (P-14793;A-1844)
8 Ill. Adm. Code 85	Diseased Animals (P-14747/93;A-1850)
8 Ill. Adm. Code 116	Equine Infectious Anemia Control (P-14761/93;A-1861)
68 Ill. Adm. Code 590	Feeder Swine Dealer Licensing (P-14765/93;A-1865)
68 Ill. Adm. Code 70	Horsemeat (P-9003)
8 Ill. Adm. Code 50	Human Slaughter of Livestock (P-9011)
8 Ill. Adm. Code 35	Humane Care for Animals Act (P-9008)

8 Ill. Adm. Code 270	Illinois State Fair and DuQuoin State Fair, Non-Fair Space Rental and the General Operation of the State Fairgrounds (P-3164;A-9400)
8 Ill. Adm. Code 40	Livestock Auction Markets (P-14769/93;A-1869)
68 Ill. Adm. Code 610	Livestock Dealer Licensing (P-14775/93;A-1875)
8 Ill. Adm. Code 125	Meat and Poultry Inspection Act (PP-304) (PP-2164) (P-3809;A-4622) (PP-6442) (PP-8493) (A-11489)
8 Ill. Adm. Code 515	Refrigerated Warehouse Act (P-9033)
8 Ill. Adm. Code 105	Swine Disease Control & Eradication Act (P-14781/93;A-1880)
8 Ill. Adm. Code 600	Weights and Measures Act (E-4426) (A-8519)

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77 Ill. Adm. Code 2090	Subacute Alcoholism and Substance Abuse Treatment Services (P-5029) (C-8731)
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ATTORNEY GENERAL

14 Ill. Adm. Code 200	Franchise Disclosure Act (PP-2522)
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AUDITOR GENERAL

2 Ill. Adm. Code 601	Freedom of Information (A-7739)
2 Ill. Adm. Code 600	Public Information, Rulemaking, Organization and Personnel (A-6404) (AR-6440)

BANKS AND TRUST COMPANIES, COMMISSIONER OF

38 Ill. Adm. Code 380	Eligible State Bank (P-19347/93;A-4630)
38 Ill. Adm. Code 335	Unimpaired Capital & Unimpaired Surplus (E-11662)

CARNIVAL-AMUSEMENT SAFETY BOARD

56 Ill. Adm. Code 6000	Carnival and Amusement Park Inspection Law (P-6040)
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CENTRAL MANAGEMENT SERVICES, DEPARTMENT OF

44 Ill. Adm. Code 5000	Acquisition, Management & Disposal of Real Property (P-15217/93;A-1886) (P-5057)
74 Ill. Adm. Code 900	Joint Rules Of The Comptroller & The Department Of Central Management Services: Prompt Payment (A-11498)
80 Ill. Adm. Code 302	Merit & Fitness (P-14788/93;A-1892)
80 Ill. Adm. Code 310	Pay Plan (P-13657/93;P-14314;A-227;A-1107) (P-21233/93;A-5146) (PP-9562) (P-10979) (E-11299)
80 Ill. Adm. Code 2650	Solicitation for Charitable Payroll Deductions (A-3115) (RC-3151)

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89 Ill. Adm. Code 336	Appeal Of Child Abuse And Neglect Investigation Findings (P-11407)		56 Ill. Adm. Code 509	Industrial Training Program (P-20063/93;RQ-6022)	
89 Ill. Adm. Code 434	Audits, Reviews and Investigations (P-7115/93;A-6697) (P-8777) (E-8944)		14 Ill. Adm. Code 620	Labor-Management Program (P-9667)	
89 Ill. Adm. Code 380	Background Check of Foster Family Home Applicants (PR-8779)		83 Ill. Adm. Code 772	Pay-Per-Call Services (P-7156)	
89 Ill. Adm. Code 385	Background Checks (P-8219)		14 Ill. Adm. Code 610	Public Infrastructure Loan & Grants Programs (P-19352/93;A-8398)	
89 Ill. Adm. Code 358	Background Inquiry for Purchase of Service Providers (PR-8786)		56 Ill. Adm. Code 2600	Service Delivery System & State Responsibilities (P-805; A-9902)	
89 Ill. Adm. Code 305	Client Service Planning (P-6467)		1 Ill. Adm. Code 300	Small Business Impact Analysis Procedures (CC-9934)	
89 Ill. Adm. Code 431	Confidentiality of Personal Information of Persons Served by the Department (P-7554) (CC-7951)		14 Ill. Adm. Code 545	Technology Advancement & Development Act Program (P-839;A-8415) (P-11411)	
89 Ill. Adm. Code 428	Department Advisory Council, Ill. Juvenile Commission & OtherStatewide & Regional Committees (P-561)		56 Ill. Adm. Code 2630	Uniform Fiscal & Administrative Standards for the Job Training Partnership Act (P-855; A-9935)	
89 Ill. Adm. Code 437	Department of Children and Family Services Employees Conflict of Interest (P-7539)		COMMERCE COMMISSION, ILLINOIS		
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89 Ill. Adm. Code 314	Educational Services (P-17593/93; A-8366)		92 Ill. Adm. Code 1205	Fees And Taxes (A-11155)	
89 Ill. Adm. Code 406	Licensing Standards for Day Care Homes (P-2683) (P-11964/93;A-5531) (RC-3152)		92 Ill. Adm. Code 1425	Financial Responsibility Of Carriers (A-11162)	
89 Ill. Adm. Code 402	Licensing Standards for Foster Family Homes (P-8237; RC-10499) (E-8481)		83 Ill. Adm. Code 792	Imputation (P-11988/93;A-1919)	
89 Ill. Adm. Code 408	Licensing Standards for Group Day Care Homes (P-2700) (P-11976/93;A-5540) (RC-3153)		83 Ill. Adm. Code 790	Interconnection (P-19354/93;A-6147)	
89 Ill. Adm. Code 308	Nondiscrimination Requirements Of Department Service Providers (A-11510)		83 Ill. Adm. Code 535	Least-Cost Planning for Natural Utilities (PR-6081)	
89 Ill. Adm. Code 356	Rate Setting (A-11512)		83 Ill. Adm. Code 590	Minimum Safety Standards for Transportation of Gas Pipeline Facilities (P-2720) (A-11518)	
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89 Ill. Adm. Code 300	Reports of Child Abuse & Neglect (P-18271/93;A-8377) (P-8240) (P-15218/93;A-8601)		83 Ill. Adm. Code 315	Pole Attachment Rates, Terms & Conditions Applicable to Cable Television Companies, Electric Utilities & Telecommunications Carriers (P-202/93;A-676; M-795)	
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14 Ill. Adm. Code 520	Enterprise Zone Program (P-9791/93;A-5172)		83 Ill. Adm. Code 200	Rules and Practices (P-22117/93;A-7748)	
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17 Ill. Adm. Code 1050	Ill. List of Endangered & Threatened Flora (P-16285/93; A-1142)	23 Ill. Adm. Code 252	Driver Education (P-8557)
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94-338 Robert A. Wallhaus Day	10977
94-339 Special Session - Senate Bills 776 and 1690 and House Bills 12 and 1882	11398
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TYPE OF RULE MAKING		ACTION CODE	
am = amend to existing Section	A = Adopted Rule	PF = Prohibited Filing	
cc = codification changes	E = Emergency	S = Suspension	
n = New section	P = Proposed Rule	O = JCAR Objection	
r = repeal of existing Section	PP = Peremptory	F = Failure to Remedy Objections	
re = recodified	M = Modification	Objecton	
# = renumbered	W = Withdrawal	RC = Recommendations	
	CC = Codification Changes	EC = Expedited Correction	
	RQ = Request for Correction	C = Correction	

1994	100.660	am	(P-7087)	220.250	am	(P-13307/93;A-4758)
TITLE 1	100.670	am	(P-7087)	220.275	am	(P-13307/93;A-4758)
100.100	am	(P-7087)	220.285	am	(P-13307/93;A-4758)	
100.110	am	(P-7087)	220.300	am	(P-13307/93;A-4758)	
100.140	am	(P-7087)	220.450	am	(P-13307/93;A-4758)	
100.150	am	(P-7087)	220.500	am	(P-13307/93;A-4758)	
100.160	am	(P-7087)	220.600	am	(P-13307/93;A-4758)	
100.180	am	(P-7087)	220.700	am	(P-13307/93;A-4758)	
100.200	am	(P-7087)	220.780	am	(P-13307/93;A-4758)	
100.220	am	(P-7087)	220.800	am	(P-13307/93;A-4758)	
100.225	am	(P-7087)	220.900	am	(P-13307/93;A-4758)	
100.240	am	(P-7087)	220.950	am	(P-13307/93;A-4758)	
100.250	am	(P-7087)	220.1000	am	(P-13307/93;A-4758)	
100.260	am	(P-7087)	220.1100	am	(P-13307/93;A-4758)	
100.270	am	(P-7087)	220.1150	am	(P-13307/93;A-4758)	
100.280	am	(P-7087)	220.1200	am	(P-13307/93;A-4758)	
100.300	am	(P-7087)	220.1250	am	(P-13307/93;A-4758)	
100.315	am	(P-7087)	220.1300	am	(P-13307/93;A-4758)	
100.330	am	(P-7087)	220.1400	am	(P-13307/93;A-4758)	
100.335	am	(P-7087)	220.1450	am	(P-13307/93;A-4758)	
100.380	am	(P-7087)	220.1500	am	(P-13307/93;A-4758)	
100.390	am	(P-7087)	220.1600	am	(P-13307/93;A-4758)	
100.400	am	(P-7087)	220.1700	am	(P-13307/93;A-4758)	
100.410	am	(P-7087)	220.1800	am	(P-13307/93;A-4758)	
100.430	am	(P-7087)	220.1900	am	(P-13307/93;A-4758)	
100.450	am	(P-7087)	220.2000	am	(P-13307/93;A-4758)	
100.500	am	(P-7087)	220.2100	am	(P-13307/93;A-4758)	
100.510	am	(P-7087)	220.2200	am	(P-13307/93;A-4758)	
100.530	am	(P-7087)	220.2300	am	(P-13307/93;A-4758)	
100.545	am	(P-7087)	220.2400	am	(P-13307/93;A-4758)	
100.555	am	(P-7087)	220.2500	am	(P-13307/93;A-4758)	
100.600	am	(P-7087)	220.2600	am	(P-13307/93;A-4758)	
100.610	am	(P-7087)	220.2700	am	(P-13307/93;A-4758)	
100.640	am	(P-7087)	220.2800	am	(P-13307/93;A-4758)	
100.655	am	(P-7087)	220.2900	am	(P-13307/93;A-4758)	

[Title 1, cont.]

230.400	am	(P-1322/93.A-1233)	260.Ex.A	am	(P-1323/93.A-4705)	925.230	r	(P-525)	30.20	am	(P-8972)	257.90	n	(P-14288/93.A-205)	100.300	am	(P-20094/93.A-4811)
230.400	am	(P-1322/93.A-1233)	260.Ex.B	r	(P-525)	925.240	r	(P-525)	30.40	am	(P-8972)	257.100	n	(P-14288/93.A-205)	100.310	am	(P-20094/93.A-4811)
230.550	am	(P-1322/93.A-1233)	260.Ex.C	am	(P-525)	925.250	r	(P-525)	30.40	am	(P-8972)	270.10	n	(P-14288/93.A-205)	100.320	am	(P-20094/93.A-4811)
230.600	am	(P-1322/93.A-1233)	260.Ex.D	am	(P-525)	925.Ap.A	am	(P-525)	30.90	am	(P-8972)	270.15	am	(P-14288/93.A-205)	100.330	am	(P-20094/93.A-4811)
230.700	am	(P-1322/93.A-1233)	300.	re	(CC-9834)	926.10	r	(P-512)	30.140	am	(P-8972)	270.20	am	(P-14288/93.A-205)	100.340	am	(P-20094/93.A-4811)
230.800	am	(P-1322/93.A-1233)				926.20	#	(P-512)	35.30	am	(P-9008)	270.35	am	(P-14288/93.A-205)	100.350	am	(P-20094/93.A-4811)
230.900	am	(P-1322/93.A-1233)				926.110	r	(P-512)	40.5	am	(P-14769/93.A-1869)	270.40	am	(P-14288/93.A-205)	100.360	am	(P-20094/93.A-4811)
230.1000	am	(P-1322/93.A-1233)	600.10	r	(A-6404)	926.120	r	(P-512)	40.60	am	(P-14769/93.A-1869)	270.50	am	(P-14288/93.A-205)	100.370	am	(P-20094/93.A-4811)
230.Ex.A	am	(P-1322/93.A-1233)			(A-6404)	926.130	r	(P-512)	40.60	am	(P-14769/93.A-1869)	270.50	am	(P-14288/93.A-205)	100.380	am	(P-20094/93.A-4811)
230.Ex.B	am	(P-1322/93.A-1233)	600.110	r	(A-6404)	926.200	#	(P-512)	40.110	am	(P-14769/93.A-1869)	270.75	am	(P-14288/93.A-205)	204.20	am	(P-126.A-7419)
230.Ex.C	am	(P-1322/93.A-1233)			(A-6404)	926.210	am	(P-512)	40.170	am	(P-14769/93.A-1869)	270.85	am	(P-14288/93.A-205)	204.30	am	(P-126.A-7419)
230.Ex.D	am	(P-1322/93.A-1233)	600.120	r	(A-6404)	926.220	r	(P-512)	50.10	am	(P-9011)	270.95	am	(P-14288/93.A-205)	204.40	am	(P-126.A-7419)
230.Ex.E	am	(P-1322/93.A-1233)			(A-6404)	926.230	am	(P-512)	50.20	am	(P-9011)	270.95	am	(P-14288/93.A-205)	204.40	am	(P-126.A-7419)
230.Ex.F	am	(P-1322/93.A-1233)	600.210	r	(A-6404)	926.231	#	(P-512)	70.80	am	(P-9003)	270.130	am	(P-14288/93.A-205)	204.50	am	(P-126.A-7419)
240.	re	(CC-7499)			(A-6404)	926.235	am	(P-512)	70.130	am	(P-9003)	270.135	am	(P-14288/93.A-205)	204.60	am	(P-126.A-7419)
240.100	am	(P-13294/93.A-4745)	600.220	r	(A-6404)	926.236	am	(P-512)	75.5	am	(P-9003)	270.140	am	(P-14288/93.A-205)	204.70	am	(P-126.A-7419)
240.200	am	(P-13294/93.A-4745)			(A-6404)	926.240	#	(P-512)	75.10	am	(P-14728/93.A-1833)	270.150	am	(P-14288/93.A-205)	204.80	am	(P-126.A-7419)
240.300	am	(P-13294/93.A-4745)	600.610	r	(A-6404)	926.250	am	(P-512)	75.40	am	(P-14728/93.A-1833)	270.165	am	(P-14288/93.A-205)	204.90	am	(P-126.A-7419)
240.400	am	(P-13294/93.A-4745)			(A-6404)	926.260	am	(P-512)	75.40	am	(P-14728/93.A-1833)	270.170	am	(P-14288/93.A-205)	204.100	am	(P-126.A-7419)
240.500	am	(P-13294/93.A-4745)	600.614	r	(A-6404)	926.270	am	(P-512)	75.120	am	(P-14728/93.A-1833)	270.180	am	(P-14288/93.A-205)	204.110	am	(P-126.A-7419)
240.600	am	(P-13294/93.A-4745)	600.618	n	(A-6404)	926.280	#	(P-512)	75.180	am	(P-14728/93.A-1833)	270.190	am	(P-14288/93.A-205)	204.120	am	(P-126.A-7419)
240.700	am	(P-13294/93.A-4745)	600.620	r	(A-6404)	926.280	#	(P-512)	75.190	am	(P-14728/93.A-1833)	270.205	am	(P-14288/93.A-205)	204.130	am	(P-126.A-7419)
240.800	am	(P-13294/93.A-4745)			(A-6404)	926.290	am	(P-512)	75.200	am	(P-14728/93.A-1833)	270.210	am	(P-14288/93.A-205)	204.140	am	(P-126.A-7419)
240.900	am	(P-13294/93.A-4745)	600.822	r	(A-6404)	2050.20	am	(A-6015)	75.210	am	(P-14728/93.A-1833)	270.221	n	(P-14288/93.A-205)	206.10	am	(P-112.A-7407)
240.1000	am	(P-13294/93.A-4745)	600.826	n	(A-6404)	2050.30	am	(A-6015)	75.160	am	(P-14728/93.A-1833)	270.221	n	(P-14288/93.A-205)	206.20	am	(P-112.A-7407)
240.1100	am	(P-13294/93.A-4745)	600.830	n	(A-6404)	2050.110	am	(A-6015)	75.160	am	(P-14728/93.A-1833)	270.235	am	(P-14288/93.A-205)	206.30	am	(P-112.A-7407)
245.100	re	(CC-7499)	600.834	r	(A-6404)	2050.110	am	(A-6015)	75.160	am	(P-14728/93.A-1833)	270.235	am	(P-14288/93.A-205)	206.40	am	(P-112.A-7407)
245.110	am	(P-13249/93.A-4720)	600.838	n	(A-6404)	2050.20	am	(A-5899)	85.15	am	(P-14728/93.A-1833)	270.245	am	(P-14288/93.A-205)	208.10	am	(P-115.A-7410)
245.130	am	(P-13249/93.A-4720)	600.840	n	(A-6404)	2050.30	am	(A-5899)	85.15	am	(P-14728/93.A-1833)	270.261	am	(P-14288/93.A-205)	208.20	am	(P-115.A-7410)
245.140	am	(P-13249/93.A-4720)			(A-6404)	2050.40	am	(A-5899)	85.15	am	(P-14728/93.A-1833)	270.280	am	(P-14288/93.A-205)	208.30	am	(P-115.A-7410)
245.140	am	(P-13249/93.A-4720)	600.842	r	(A-6404)	2050.40	am	(A-5899)	85.15	am	(P-14728/93.A-1833)	270.320	am	(P-14288/93.A-205)	208.40	am	(P-115.A-7410)
245.Ex.A	am	(P-13249/93.A-4720)	600.846	r	(A-6404)	2050.40	am	(A-5899)	85.15	am	(P-14728/93.A-1833)	270.365	am	(P-14288/93.A-205)	208.100	am	(P-115.A-7410)
245.Ex.B	am	(P-13249/93.A-4720)	600.850	am	(A-6404)	2050.50	am	(A-5899)	85.25	n	(P-14728/93.A-1833)	270.371	n	(P-14288/93.A-205)	208.120	am	(P-115.A-7410)
250.200	am	(P-13257/93.A-4728)			(A-6404)	2050.50	am	(A-5899)	90.10	am	(P-9018)	270.395	am	(P-14288/93.A-205)	208.120	am	(P-115.A-7410)
250.300	am	(P-13257/93.A-4728)	600.854	am	(A-6404)	2050.60	am	(A-5899)	90.10	am	(P-9018)	270.480	am	(P-14288/93.A-205)	308.10	n	(P-1773.A-7433)
250.400	am	(P-13257/93.A-4728)	600.858	n	(A-6404)	2360.60	am	(A-5899)	90.120	am	(P-9018)	270.510	am	(P-14288/93.A-205)	308.20	n	(P-1773.A-7433)
250.500	am	(P-13257/93.A-4728)	600.862	n	(A-6404)	2360.70	am	(A-5899)	105.6	am	(P-14781/93.A-1880)	270.540	am	(P-14288/93.A-205)	308.30	n	(P-1773.A-7433)
250.600	am	(P-13257/93.A-4728)	600.866	n	(A-6404)	2360.80	am	(A-5899)	105.6	am	(P-14781/93.A-1880)	270.625	am	(P-14288/93.A-205)	308.40	n	(P-1773.A-7433)
250.700	am	(P-13257/93.A-4728)	600.870	n	(A-6404)	2360.90	am	(A-5899)	105.30	am	(P-14781/93.A-1880)	270.685	am	(P-14288/93.A-205)	308.50	n	(P-1773.A-7433)
250.800	am	(P-13257/93.A-4728)			(A-6404)	2360.100	am	(A-5899)	110.50	am	(P-14717/93.A-1825)	515.5	am	(P-9033)	308.60	n	(P-1773.A-7433)
250.900	am	(P-13257/93.A-4728)	600.670	n	(A-6404)	2360.110	am	(A-5899)	110.50	am	(P-14717/93.A-1825)	515.60	am	(P-9033)	308.70	n	(P-1773.A-7433)
250.1000	am	(P-13257/93.A-4728)			(A-6404)	2360.120	am	(A-5899)	110.70	am	(P-9081)	515.110	am	(P-9033)	308.80	n	(P-1773.A-7433)
250.1200	am	(P-13257/93.A-4728)	600.674	n	(A-6404)	2360.120	am	(A-5899)	110.80	am	(P-14717/93.A-1825)	515.130	am	(P-9033)	308.90	n	(P-1773.A-7433)
250.1300	am	(P-13257/93.A-4728)	600.678	n	(A-6404)	2360.120	am	(A-5899)	110.80	am	(P-14717/93.A-1825)	515.150	am	(P-9033)	311.10	n	(P-1780.A-7440)
250.1400	am	(P-13257/93.A-4728)	600.680	r	(A-6404)	2360.200	am	(A-5899)	110.90	am	(P-9081)	600.1	am	(P-8619)	311.20	n	(P-1780.A-7440)
250.1500	am	(P-13257/93.A-4728)	600.686	n	(A-6404)	2360.210	am	(A-5899)	110.90	am	(P-9081)	600.300	am	(E-4426/P-8519)	311.30	n	(P-1780.A-7440)
250.1600	am	(P-13257/93.A-4728)	600.694	n	(A-6404)	2360.220	am	(A-5899)	116.10	n	(P-14781/93.A-1861)	600.320	n	(E-4426/P-8519)	311.40	r	(P-10030/93.A-2087)
250.1700	am	(P-13257/93.A-4728)	600.698	n	(A-6404)	2360.230	am	(A-5899)	116.20	n	(P-14781/93.A-1861)	600.820	e	(E-4426/P-8519)	401.10	r	(P-10030/93.A-2087)
250.1800	am	(P-13257/93.A-4728)	600.699	n	(A-6404)	2360.240	am	(A-5899)	125.100	am	(P-3041/E-2164)	600.820	e	(E-4426/P-8519)	401.10	r	(P-10030/93.A-2087)
250.1900	am	(P-13257/93.A-4728)	600.Ap.A	r	(A-6404)	2360.250	am	(A-5899)	125.110	am	(P-3041/E-2164)	600.820	e	(E-4426/P-8519)	401.10	r	(P-10030/93.A-2087)
250.2000	am	(P-13257/93.A-4728)	600.Ap.B	r	(A-6404)	2360.260	am	(A-5899)	125.110	am	(P-3041/E-2164)	600.820	e	(E-4426/P-8519)	401.10	r	(P-10030/93.A-2087)
250.2100	am	(P-13257/93.A-4728)			(A-6404)	2360.270	am	(A-5899)	125.110	am	(P-3041/E-2164)	600.820	e	(E-4426/P-8519)	401.10	r	(P-10030/93.A-2087)
250.2200	am	(P-13257/93.A-4728)	601.100	am	(A-6404)	2360.280	am	(A-5899)	125.110	am	(P-3041/E-2164)	600.820	e	(E-4426/P-8519)	401.10	r	(P-10030/93.A-2087)
250.2300	am	(P-13257/93.A-4728)	601.100	am	(A-6404)	2360.290	am	(A-5899)	125.110	am	(P-3041/E-2164)	600.820	e	(E-4426/P-8519)	401.10	r	(P-10030/93.A-2087)
250.2400	am	(P-13257/93.A-4728)	601.100	am	(A-6404)	2360.300	am	(A-5899)	125.110	am	(P-3041/E-2164)	600.820	e	(E-4426/P-8519)	401.10	r	(P-10030/93.A-2087)
250.2500	n	(E-5359)	601.100	am	(A-6404)	2360.310	am	(A-5899)	125.110	am	(P-3041/E-2164)	600.820	e	(E-4426/P-8519)	401.10	r	(P-10030/93.A-2087)
255.100	n	(E-5359)	601.100	am	(A-6404)	2360.320	am	(A-5899)	125.110	am	(P-3041/E-2164)	600.820	e	(E-4426/P-8519)	401.10	r	(P-10030/93.A-2087)
255.200	n	(E-5359)	601.100	am	(A-6404)	2360.330	am	(A-5899)	125.110	am	(P-3041/E-2164)	600.820	e	(E-4426/P-8519)	401.10	r	(P-10030/93.A-2087)
260.	re	(CC-7595)	601.100	am	(A-6404)	2360.340	am	(A-5899)	125.110	am	(P-3041/E-2164)	600.820	e	(E-4426/P-8519)	401.10	r	(P-10030/93.A-2087)
260.100	am	(P-13233/93.A-4705)	601.Ap.D	am	(A-6404)	2360.350	am	(A-5899)	125.110	am	(P-3041/E-2164)	600.820	e	(E-4426/P-8519)	401.10	r	(P-10030/93.A-2087)
260.200	am	(P-13233/93.A-4705)	601.Ap.E	am	(A-6404)	2360.360	am	(A-5899)	125.110	am	(P-3041/E-216						

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SECTIONS AFFECTED INDEX

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(Title 17, cont.)									
710.60	am	(P-16927/93.A-1156)	4000.420	r	(P-12005/93.A-2290)	460.20	am	(P-19371/93.A-2933)	
710.60	am	(P-16927/93.A-1156)	4000.425	n	(P-12005/93.A-2290)	460.30	am	(P-19371/93.A-2933)	
715.10	am	(P-3895.A-10013)	4000.430	r	(P-12005/93.A-2290)	460.80	am	(P-19371/93.A-2933)	
715.20	am	(P-3895.A-10013)	4000.435	n	(P-12005/93.A-2290)	501.40	am	(P-3869/93.A-6328)	
715.20	am	(P-3895.A-10013)	4000.440	am	(P-12005/93.A-2290)	501.60	am	(P-3869/93.A-6328)	
715.40	am	(P-3895.A-10013)	4000.450	n	(P-12005/93.A-2290)	1570.10	n	(P-21136/93.A-4579)	
720.10	am	(P-3895.A-10013)	4000.460	am	(P-12005/93.A-2290)	1570.20	n	(P-21136/93.A-4579)	
720.20	am	(P-3894.A-10104)	4000.465	am	(P-12005/93.A-2290)	1570.30	n	(P-21136/93.A-4579)	
720.25	am	(P-3894.A-10104)	4000.470	r	(P-12005/93.A-2290)	1570.40	n	(P-21136/93.A-4579)	
720.40	am	(P-3894.A-10104)	4000.475	n	(P-12005/93.A-2290)	1570.50	n	(P-21136/93.A-4579)	
730.20	am	(P-3830.A-10099)	4000.510	r	(P-12005/93.A-2290)	1570.60	n	(P-21136/93.A-4579)	
730.30	am	(P-3830.A-10099)	4000.520	r	(P-12005/93.A-2290)	1800.10	n	(P-20539/93.A-4852)	
740.10	am	(P-3896.A-9998)	4000.530	r	(P-12005/93.A-2290)	1800.20	n	(P-20539/93.A-4852)	
740.20	am	(P-3896.A-9998)	4000.540	am	(P-12005/93.A-2290)	1800.30	n	(P-20539/93.A-4852)	
810.10	am	(P-19765/93.A-3277)	4000.550	am	(P-12005/93.A-2290)	1800.40	n	(P-20539/93.A-4852)	
810.15	am	(P-19765/93.A-3277)	4000.560	am	(P-12005/93.A-2290)	1801.00	n	(P-20539/93.A-4852)	
810.37	am	(P-19765/93.A-3277)	4000.570	am	(P-12005/93.A-2290)	1810.10	n	(P-20516/93.A-4834)	
810.45	am	(P-19765/93.A-3277)	4000.580	am	(P-12005/93.A-2290)	1810.10	n	(P-20516/93.A-4834)	
810.60	am	(E-5667/93.A-6202)	4000.610	am	(P-12005/93.A-2290)	1810.20	n	(P-20516/93.A-4834)	
810.70	am	(P-19765/93.A-3277)	4000.620	am	(P-12005/93.A-2290)	1810.20	n	(P-20516/93.A-4834)	
830.20	am	(A-9985)	4010.110	n	(P-578.A-7253)	1810.20	n	(P-20516/93.A-4834)	
830.40	am	(A-9985)	4010.120	n	(P-578.A-7253)	1810.20	n	(P-20516/93.A-4834)	
830.40	am	(A-9985)	4010.130	n	(P-578.A-7253)	1810.20	n	(P-20516/93.A-4834)	
830.60	am	(A-9985)	4010.140	n	(P-578.A-7253)	1810.30	n	(P-20516/93.A-4834)	
830.60	am	(A-9985)	4010.150	n	(P-578.A-7253)	1810.40	n	(P-20516/93.A-4834)	
850.20	am	(P-22123/93.A-5934)	4010.160	n	(P-578.A-7253)	1810.40	n	(P-20516/93.A-4834)	
850.30	am	(P-22123/93.A-5934)	4010.170	n	(P-578.A-7253)	1810.40	n	(P-20516/93.A-4834)	
910.15	am	(P-3846)	4010.210	n	(P-578.A-7253)	1810.40	n	(P-20516/93.A-4834)	
910.20	am	(P-3846)	4010.220	n	(P-578.A-7253)	1810.40	n	(P-20516/93.A-4834)	
910.25	am	(P-3846)	4010.230	n	(P-578.A-7253)	1810.50	n	(P-20516/93.A-4834)	
910.60	am	(P-3846)	4010.240	n	(P-578.A-7253)	1810.50	n	(P-20516/93.A-4834)	
910.80	am	(P-3846)	4010.260	n	(P-578.A-7253)	1810.50	n	(P-20516/93.A-4834)	
1010.25	am	(P-16273/93.A-1134)	4010.270	n	(P-578.A-7253)	1810.50	n	(P-20516/93.A-4834)	
1010.30	am	(P-16273/93.A-1134)	4010.280	n	(P-578.A-7253)	1810.50	n	(P-20516/93.A-4834)	
1050.25	am	(P-16285/93.A-1142)	4010.310	n	(P-578.A-7253)	1810.60	n	(P-20516/93.A-4834)	
1050.30	am	(P-16285/93.A-1142)	4010.310	n	(P-578.A-7253)	1810.60	n	(P-20516/93.A-4834)	
1050.40	am	(P-16285/93.A-1142)	4010.320	n	(P-578.A-7253)	1810.60	n	(P-20516/93.A-4834)	
1070.80	am	(P-1A-5838)	TITLE 20			1810.60	n	(P-20516/93.A-4834)	
2520.10	am	(P-3821.A-9991)	1071.15	n	(P-19377/93.A-2939)	1810.70	n	(P-20516/93.A-4834)	
2520.20	am	(P-3821.A-9991)	1071.17	n	(P-19377/93.A-2939)	1810.70	n	(P-20516/93.A-4834)	
2520.30	am	(P-3821.A-9991)	1071.20	am	(P-19377/93.A-2939)	1810.70	n	(P-20516/93.A-4834)	
2520.40	am	(P-3821.A-9991)	1071.05	n	(P-19377/93.A-2939)	1810.80	n	(P-20516/93.A-4834)	
2520.50	am	(P-3821.A-9991)	1071.07	n	(P-19377/93.A-2939)	1810.80	n	(P-20516/93.A-4834)	
3010.30	am	(P-5379.A-1006)	1071.10	am	(P-19377/93.A-2939)	1810.90	n	(P-20516/93.A-4834)	
3010.40	am	(P-5379.A-1006)	1071.145	n	(P-19377/93.A-2939)	1810.90	n	(P-20516/93.A-4834)	
3010.70	am	(P-5379.A-1006)	1071.205	n	(P-19377/93.A-2939)	1810.1000	n	(P-20516/93.A-4834)	
3010.80	am	(P-5379.A-1006)	107.205	n	(P-19377/93.A-2939)	1810.1000	n	(P-20516/93.A-4834)	
4000.110	am	(P-12005/93.A-2290)	107.205	n	(P-19377/93.A-2939)	1810.1020	n	(P-20516/93.A-4834)	
4000.120	am	(P-12005/93.A-2290)	107.210	am	(P-19377/93.A-2939)	1810.1020	n	(P-20516/93.A-4834)	
4000.130	am	(P-12005/93.A-2290)	107.205	n	(P-19377/93.A-2939)	1810.1100	n	(P-20516/93.A-4834)	
4000.140	am	(P-12005/93.A-2290)	107.305	n	(P-19377/93.A-2939)	1810.1100	n	(P-20516/93.A-4834)	
4000.150	am	(P-12005/93.A-2290)	107.320	am	(P-19377/93.A-2939)	1810.1110	n	(P-20516/93.A-4834)	
4000.160	am	(P-12005/93.A-2290)	107.340	am	(P-19377/93.A-2939)	TITLE 23			
4000.165	am	(P-12005/93.A-2290)	107.400	am	(P-19377/93.A-2939)	1.10	am	(P-10079/93.A-1171)	
4000.170	am	(P-12005/93.A-2290)	107.410	am	(P-19377/93.A-2939)	1.20	am	(P-10079/93.A-1171)	
4000.210	am	(P-12005/93.A-2290)	107.500	n	(P-19377/93.A-2939)	1.30	am	(P-10079/93.A-1171)	
4000.220	am	(P-12005/93.A-2290)	107.505	n	(P-19377/93.A-2939)	1.40	am	(P-10079/93.A-1171)	
4000.230	am	(P-12005/93.A-2290)	107.510	n	(P-19377/93.A-2939)	1.50	am	(P-10079/93.A-1171)	
4000.240	am	(P-12005/93.A-2290)	107.520	n	(P-19377/93.A-2939)	1.60	am	(P-10079/93.A-1171)	
4000.250	am	(P-12005/93.A-2290)	107.530	n	(P-19377/93.A-2939)	1.70	am	(P-10079/93.A-1171)	
4000.260	am	(P-12005/93.A-2290)	107.540	n	(P-19377/93.A-2939)	1.80	am	(P-10079/93.A-1171)	
4000.270	am	(P-12005/93.A-2290)	107.550	n	(P-19377/93.A-2939)	1.90	n	(P-10079/93.A-1171)	
4000.300	am	(P-12005/93.A-2290)	107.560	n	(P-19377/93.A-2939)	1.100	n	(P-10079/93.A-1171)	
4000.310	am	(P-12005/93.A-2290)	107.560	n	(P-19377/93.A-2939)	1.100	n	(P-10079/93.A-1171)	
4000.320	am	(P-12005/93.A-2290)	107.560	n	(P-19377/93.A-2939)	1.100	n	(P-10079/93.A-1171)	
4000.330	am	(P-12005/93.A-2290)	107.560	n	(P-19377/93.A-2939)	1.100	n	(P-10079/93.A-1171)	
4000.340	am	(P-12005/93.A-2290)	107.560	n	(P-19377/93.A-2939)	1.100	n	(P-10079/93.A-1171)	
4000.350	am	(P-12005/93.A-2290)	107.560	n	(P-19377/93.A-2939)	1.100	n	(P-10079/93.A-1171)	
4000.360	am	(P-12005/93.A-2290)	107.560	n	(P-19377/93.A-2939)	1.100	n	(P-10079/93.A-1171)	
4000.370	am	(P-12005/93.A-2290)	107.560	n	(P-19377/93.A-2939)	1.100	n	(P-10079/93.A-1171)	
4000.380	am	(P-12005/93.A-2290)	107.560	n	(P-19377/93.A-2939)	1.100	n	(P-10079/93.A-1171)	
4000.390	am	(P-12005/93.A-2290)	107.560	n	(P-19377/93.A-2939)	1.100	n	(P-10079/93.A-1171)	
4000.400	am	(P-12005/93.A-2290)	107.560	n	(P-19377/93.A-2939)	1.100	n	(P-10079/93.A-1171)	
4000.410	am	(P-12005/93.A-2290)	107.560	n	(P-19377/93.A-2939)	1.100	n	(P-10079/93.A-1171)	
4000.420	am	(P-12005/93.A-2290)	107.560	n	(P-19377/93.A-2939)	1.100	n	(P-10079/93.A-1171)	
4000.430	am	(P-12005/93.A-2290)	107.560	n	(P-19377/93.A-2939)	1.100	n	(P-10079/93.A-1171)	
4000.440	am	(P-12005/93.A-2290)	107.560	n	(P-19377/93.A-2939)	1.100	n	(P-10079/93.A-1171)	
4000.450	am	(P-12005/93.A-2290)	107.560	n	(P-19377/93.A-2939)	1.100	n	(P-10079/93.A-1171)	
4000.460	am	(P-12005/93.A-2290)	107.560	n	(P-19377/93.A-2939)	1.100	n	(P-10079/93.A-1171)	
4000.470	am	(P-12005/93.A-2290)	107.560	n	(P-19377/93.A-2939)	1.100	n	(P-10079/93.A-1171)	
4000.480	am	(P-12005/93.A-2290)	107.560	n	(P-19377/93.A-2939)	1.100	n	(P-10079/93.A-1171)	
4000.490	am	(P-12005/93.A-2290)	107.560	n	(P-19377/93.A-2939)	1.100	n	(P-10079/93.A-1171)	
4000.500	am	(P-12005/93.A-2290)	107.560	n	(P-19377/93.A-2939)	1.100	n	(P-10079/93.A-1171)	
4000.510	am	(P-12005/93.A-2290)	107.560	n	(P-19377/93.A-2939)	1.100	n	(P-10079/93.A-1171)	
4000.520	am	(P-12005/93.A-2290)	107.560	n	(P-19377/93.A-2939)	1.100	n	(P-10079/93.A-1171)	
4000.530	am	(P-12005/93.A-2290)	107.560	n	(P-19377/93.A-2939)	1.100	n	(P-10079/93.A-1171)	
4000.540	am	(P-12005/93.A-2290)	107.560	n	(P-19377/93.A-2939)	1.100	n	(P-10079/93.A-1171)	
4000.550	am	(P-12005/93.A-2290)	107.560	n	(P-19377/93.A-2939)	1.100	n	(P-10079/93.A-1171)	
4000.560	am	(P-12005/93.A-2290)	107.560	n	(P-19377/93.A-2939)	1.100	n	(P-10079/93.A-1171)	
4000.570	am	(P-12005/93.A-2290)	107.560	n	(P-19377/93.A-2939)	1.100	n	(P-10079/93.A-1171)	
4000.580	am	(P-12005/93.A-2290)	107.560	n	(P-19377/93.A-2939)	1.100	n	(P-10079/93.A-1171)	
4000.590	am	(P-12005/93.A-2290)	107.560	n	(P-19377/93.A-2939)	1.100	n	(P-10079/93.A-1171)	
4000.600	am	(P-12005/93.A-2290)	107.560	n	(P-19377/93.A-2939)	1.100	n	(P-10079/93.A-1171)	
4000.610	am	(P-12005/93.A-2290)	107.560	n	(P-19377/93.A-2939)	1.100	n	(P-10079/93.A-1171)	
4000.620	am	(P-12005/93.A-2290)	107.560	n	(P-19377/93.A-2939)	1.100	n	(P-10079/93.A-1171)	
4000.630	am	(P-12005/93.A-2290)	107.560	n	(P-19377/93.A-2939)	1.100	n	(P-10079/93.A-1171)	
4000.640	am	(P-12005/93.A-2290)	107.560	n	(P-19377/93.A-2939)	1.100	n	(P-10079/93.A-1171)	
4000.650	am	(P-12005/93.A-2290)	107.560	n	(P-19377/93.A-2939)	1.100	n	(P-10079/93.A-1171)	
4000.660	am	(P-12005/93.A-2290)	107.560	n	(P-19377/93.A-2939)	1.100	n	(P-10079/93.A-1171)	
4000.670	am	(P-12005/93.A-2290)	107.560	n	(P-19377/93.A-2939)	1.100	n	(P-10079/93.A-1171)	
4000.680	am	(P-12005/93.A-2290)	107.560	n	(P-19377/93.A-2939)	1.100	n	(P-10079/93.A-1171)	
4000.690	am	(P-12005/93.A-2290)	107.560	n	(P-19377/93.A-2939)	1.100	n	(P-10079/93.A-1171)	
4000.700	am	(P-12005/93.A-2290)	107.560	n					

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510.10	am	(P-1579093(A-2064))	1770.190	am	(P-7186)	610.600	n	(P-1935293(A-8398))
510.20	am	(P-1579093(A-2064))	1770.30	am	(P-7186)	610.800	n	(P-1935293(A-8398))
510.30	am	(P-1579093(A-2064))	1770.50	am	(P-7186)	610.900	n	(P-1935293(A-8398))
510.40	am	(P-1579093(A-2064))	1770.120	am	(P-7186)	620.90	am	(P-9667)
510.60	am	(P-1579093(A-2064))	1770.140	am	(P-7186)	TITLE 17		
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510.130	am	(P-1579093(A-2064))	1770.180	am	(P-7186)	130.70	am	(P-1872193(A-1126))
510.150	am	(P-1579093(A-2064))	1770.180	am	(P-7186)	130.100	am	(P-4495)
510.160	am	(P-1579093(A-2064))	1770.200	am	(P-7186)	530.20	am	(P-4495)
510.170	am	(P-1579093(A-2064))	1770.210	am	(P-7186)	530.60	r	(P-4495)
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510.230	r	(P-1579093(A-2064))	180.10	am	(P-1879393(A-2101))	530.100	am	(P-4495)
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1401.25	r	(P-1905093(A-2090))	510.60	am	(P-1431893(A-5813))	590.30	am	(P-3868(A-10080))
1401.30	r	(P-1905093(A-2090))	510.70	am	(P-1431893(A-5813))	590.40	am	(P-3868(A-10080))
1401.40	r	(P-1905093(A-2090))	510.80	am	(P-1431893(A-5813))	590.50	am	(P-3868(A-10080))
1401.50	r	(P-1905093(A-2090))	510.85	am	(P-1431893(A-5813))	590.60	am	(P-3868(A-10080))
1401.60	r	(P-1905093(A-2090))	510.210	n	(P-2190593(A-8387))	590.70	am	(P-3868(A-10080))
1401.65	r	(P-1905093(A-2090))	510.220	n	(P-2190593(A-8387))	590.80	am	(P-3868(A-10080))
1401.67	r	(P-1905093(A-2090))	510.230	n	(P-2190593(A-8387))	590.90	am	(P-3868(A-10080))
1401.70	r	(P-1905093(A-2090))	510.240	n	(P-2190593(A-8387))	590.95	am	(P-3868(A-10080))
1401.80	r	(P-1905093(A-2090))	510.250	n	(P-2190593(A-8387))	590.96	am	(P-3868(A-10080))
1401.90	r	(P-1905093(A-2090))	510.260	n	(P-2190593(A-8387))	590.97	am	(P-3868(A-10080))
1401.100	r	(P-1905093(A-2090))	510.270	n	(P-2190593(A-8387))	590.98	am	(P-3868(A-10080))
1401.110	r	(P-1905093(A-2090))	510.275	n	(P-2190593(A-8387))	590.99	am	(P-3868(A-10080))
1401.120	r	(P-1905093(A-2090))	510.280	r	(P-2190593(A-8387))	650.20	am	(P-2192793(A-5859))
1401.130	r	(P-1905093(A-2090))	510.285	n	(P-2190593(A-8387))	650.21	am	(P-2192793(A-5859))
1401.140	r	(P-1905093(A-2090))	510.290	n	(P-2190593(A-8387))	650.23	am	(P-2192793(A-5859))
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1401.170	r	(P-1905093(A-2090))	545.30	am	(P-839(A-8415))	650.50	am	(P-2192793(A-5859))
1401.180	r	(P-1905093(A-2090))	545.40	am	(P-839(A-8415))	650.60	am	(P-2192793(A-5859))
1405.100	am	(P-5503)(A-11610)	545.50	am	(P-839(A-8415))	650.65	am	(P-2192793(A-5859))
1411.240	am	(P-19892793(A-2092))	545.60	am	(P-839(A-8415))	650.65	am	(P-2192793(A-5859))
1413.150	am	(P-5505)(A-11612)	545.70	am	(P-839(A-8415))	660.20	am	(P-2195293(A-5878))
1415.280	n	(P-5512)(A-11620)	545.70	am	(P-11411)	660.30	am	(P-2195293(A-5878))
1415.280	n	(P-5512)(A-11620)	545.80	am	(P-11411)	660.40	am	(P-2195293(A-5878))
1440.10	n	(P-1579993(A-2098))	545.430	am	(P-11411)	660.50	am	(P-2195293(A-5878))
1440.20	n	(P-1579993(A-2098))	545.440	am	(P-11411)	660.60	am	(P-2195293(A-5878))
1440.30	n	(P-1579993(A-2098))	545.450	am	(P-11411)	670.10	am	(P-2190793(A-5842))
1440.40	n	(P-1579993(A-2098))	545.460	am	(P-11411)	670.20	am	(P-2190793(A-5842))
1440.50	n	(P-1579993(A-2098))	545.470	am	(P-11411)	670.21	n	(P-2190793(A-5842))
1440.60	n	(P-1579993(A-2098))	545.480	r	(P-11411)	670.40	am	(P-2190793(A-5842))
1440.70	n	(P-1579993(A-2098))	545.490	r	(P-11411)	670.60	am	(P-2190793(A-5842))
1440.80	n	(P-1579993(A-2098))	545.495	am	(P-11411)	670.60	am	(P-2190793(A-5842))
1700.10	am	(P-5394(A-11168))	570.10	am	(P-2212393(A-6119))	680.20	am	(P-)
1700.20	am	(P-5394(A-11168))	570.20	am	(P-2212393(A-6119))	690.10	am	(P-3193(A-8624))
1700.30	am	(P-5394(A-11168))	570.25	am	(P-2212393(A-6119))	690.20	am	(P-3193(A-8624))
1700.40	am	(P-5394(A-11168))	570.30	am	(P-2212393(A-6119))	690.30	n	(P-1892793(A-1156))
1700.50	am	(P-5394(A-11168))	570.40	am	(P-2212393(A-6119))	710.05	n	(P-1892793(A-1156))
1700.60	am	(P-5394(A-11168))	570.50	am	(P-2212393(A-6119))	710.10	am	(P-1892793(A-1156))
1700.70	am	(P-5394(A-11168))	570.60	am	(P-2212393(A-6119))	710.20	am	(P-1892793(A-1156))
1700.100	am	(P-5394(A-11168))	610.10	am	(P-1935293(A-8398))	710.30	am	(P-1892793(A-1156))
1700.150	am	(P-5394(A-11168))	610.30	am	(P-1935293(A-8398))	710.50	am	(P-1892793(A-1156))
1700.160	am	(P-5394(A-11168))	610.50	am	(P-1935293(A-8398))	710.20	am	(P-1892793(A-1156))
1700.170	am	(P-5394(A-11168))	610.60	am	(P-1935293(A-8398))	710.25	am	(P-1892793(A-1156))
1700.180	am	(P-5394(A-11168))	610.100	n	(P-1935293(A-8398))	710.22	#	am
1700.190	am	(P-5394(A-11168))	610.200	n	(P-1935293(A-8398))	710.30	am	(P-1892793(A-1156))
1700.200	n	(P-5394(A-11168))	610.300	n	(P-1935293(A-8398))	710.50	am	(P-1892793(A-1156))
1700.210	n	(P-5394(A-11168))	610.400	n	(P-1935293(A-8398))	710.50	am	(P-1892793(A-1156))

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[Title 35, cont.]	218,980	am	(P-12491/93A-1945)	270,501	n	(P-16325/93A-9425)	370,860	re	(A-6375)	[Title 35, cont.]	am	(P-56001)	728,212	n	(P-5403)	732,505	n	(P-5403)
	218,981	am	(P-9242)	270,405	n	(P-16325/93A-9425)	370,870	re	(A-6375)		am	(P-56001)	728,212	n	(P-5403)	732,506	n	(P-5403)
	218,982	r	(P-12491/93A-1945)	270,406	n	(P-16325/93A-9425)	370,880	re	(A-6375)		am	(P-56001)	728,212	n	(P-5403)	732,507	n	(P-5403)
	218,983	am	(P-12491/93A-1945)	270,407	n	(P-16325/93A-9425)	370,890	re	(A-6375)		am	(P-56001)	728,212	n	(P-5403)	732,508	n	(P-5403)
	218,984	am	(P-12491/93A-1945)	270,408	n	(P-16325/93A-9425)	370,900	re	(A-6375)		am	(P-56001)	728,212	n	(P-5403)	732,509	n	(P-5403)
	218,985	am	(P-10548)	270,409	n	(P-16325/93A-9425)	370,910	re	(A-6375)		am	(P-56001)	728,212	n	(P-5403)	732,510	n	(P-5403)
	218,986	am	(P-10548)	270,410	n	(P-16325/93A-9425)	370,920	re	(A-6375)		am	(P-56001)	728,212	n	(P-5403)	732,511	n	(P-5403)
	218,987	am	(P-9243)	270,411	n	(P-16325/93A-9425)	370,930	re	(A-6375)		am	(P-56001)	728,212	n	(P-5403)	732,512	n	(P-5403)
	218,988	am	(P-9243)	270,412	n	(P-16325/93A-9425)	370,940	re	(A-6375)		am	(P-56001)	728,212	n	(P-5403)	732,513	n	(P-5403)
	218,989	am	(P-9272)	270,413	n	(P-16325/93A-9425)	370,950	re	(A-6375)		am	(P-56001)	728,212	n	(P-5403)	732,514	n	(P-5403)
	218,990	am	(P-9272)	270,414	n	(P-16325/93A-9425)	370,960	re	(A-6375)		am	(P-56001)	728,212	n	(P-5403)	732,515	n	(P-5403)
	218,991	am	(P-9272)	270,415	n	(P-16325/93A-9425)	370,970	re	(A-6375)		am	(P-56001)	728,212	n	(P-5403)	732,516	n	(P-5403)
	218,992	am	(P-9272)	270,416	n	(P-16325/93A-9425)	370,980	re	(A-6375)		am	(P-56001)	728,212	n	(P-5403)	732,517	n	(P-5403)
	218,993	am	(P-9272)	270,417	n	(P-16325/93A-9425)	370,990	re	(A-6375)		am	(P-56001)	728,212	n	(P-5403)	732,518	n	(P-5403)
	218,994	am	(P-9272)	270,418	n	(P-16325/93A-9425)	370,100	re	(A-6375)		am	(P-56001)	728,212	n	(P-5403)	732,519	n	(P-5403)
	218,995	am	(P-9272)	270,419	n	(P-16325/93A-9425)	370,110	re	(A-6375)		am	(P-56001)	728,212	n	(P-5403)	732,520	n	(P-5403)
	218,996	am	(P-9272)	270,420	n	(P-16325/93A-9425)	370,120	re	(A-6375)		am	(P-56001)	728,212	n	(P-5403)	732,521	n	(P-5403)
	218,997	am	(P-9272)	270,421	n	(P-16325/93A-9425)	370,130	re	(A-6375)		am	(P-56001)	728,212	n	(P-5403)	732,522	n	(P-5403)
	218,998	am	(P-9272)	270,422	n	(P-16325/93A-9425)	370,140	re	(A-6375)		am	(P-56001)	728,212	n	(P-5403)	732,523	n	(P-5403)
	218,999	am	(P-9272)	270,423	n	(P-16325/93A-9425)	370,150	re	(A-6375)		am	(P-56001)	728,212	n	(P-5403)	732,524	n	(P-5403)
	219,000	am	(P-9272)	270,424	n	(P-16325/93A-9425)	370,160	re	(A-6375)		am	(P-56001)	728,212	n	(P-5403)	732,525	n	(P-5403)
	219,001	am	(P-9272)	270,425	n	(P-16325/93A-9425)	370,170	re	(A-6375)		am	(P-56001)	728,212	n	(P-5403)	732,526	n	(P-5403)
	219,002	am	(P-9272)	270,426	n	(P-16325/93A-9425)	370,180	re	(A-6375)		am	(P-56001)	728,212	n	(P-5403)	732,527	n	(P-5403)
	219,003	am	(P-9272)	270,427	n	(P-16325/93A-9425)	370,190	re	(A-6375)		am	(P-56001)	728,212	n	(P-5403)	732,528	n	(P-5403)
	219,004	am	(P-9272)	270,428	n	(P-16325/93A-9425)	370,200	re	(A-6375)		am	(P-56001)	728,212	n	(P-5403)	732,529	n	(P-5403)
	219,005	am	(P-9272)	270,429	n	(P-16325/93A-9425)	370,210	re	(A-6375)		am	(P-56001)	728,212	n	(P-5403)	732,530	n	(P-5403)
	219,006	am	(P-9272)	270,430	n	(P-16325/93A-9425)	370,220	re	(A-6375)		am	(P-56001)	728,212	n	(P-5403)	732,531	n	(P-5403)
	219,007	am	(P-9272)	270,431	n	(P-16325/93A-9425)	370,230	re	(A-6375)		am	(P-56001)	728,212	n	(P-5403)	732,532	n	(P-5403)
	219,008	am	(P-9272)	270,432	n	(P-16325/93A-9425)	370,240	re	(A-6375)		am	(P-56001)	728,212	n	(P-5403)	732,533	n	(P-5403)
	219,009	am	(P-9272)	270,433	n	(P-16325/93A-9425)	370,250	re	(A-6375)		am	(P-56001)	728,212	n	(P-5403)	732,534	n	(P-5403)
	219,010	am	(P-9272)	270,434	n	(P-16325/93A-9425)	370,260	re	(A-6375)		am	(P-56001)	728,212	n	(P-5403)	732,535	n	(P-5403)
	219,011	am	(P-9272)	270,435	n	(P-16325/93A-9425)	370,270	re	(A-6375)		am	(P-56001)	728,212	n	(P-5403)	732,536	n	(P-5403)
	219,012	am	(P-9272)	270,436	n	(P-16325/93A-9425)	370,280	re	(A-6375)		am	(P-56001)	728,212	n	(P-5403)	732,537	n	(P-5403)
	219,013	am	(P-9272)	270,437	n	(P-16325/93A-9425)	370,290	re	(A-6375)		am	(P-56001)	728,212	n	(P-5403)	732,538	n	(P-5403)
	219,014	am	(P-9272)	270,438	n	(P-16325/93A-9425)	370,300	re	(A-6375)		am	(P-56001)	728,212	n	(P-5403)	732,539	n	(P-5403)
	219,015	am	(P-9272)	270,439	n	(P-16325/93A-9425)	370,310	re	(A-6375)		am	(P-56001)	728,212	n	(P-5403)	732,540	n	(P-5403)
	219,016	am	(P-9272)	270,440	n	(P-16325/93A-9425)	370,320	re	(A-6375)		am	(P-56001)	728,212	n	(P-5403)	732,541	n	(P-5403)
	219,017	am	(P-9272)	270,441	n	(P-16325/93A-9425)	370,330	re	(A-6375)		am	(P-56001)	728,212	n	(P-5403)	732,542	n	(P-5403)
	219,018	am	(P-9272)	270,442	n	(P-16325/93A-9425)	370,340	re	(A-6375)		am	(P-56001)	728,212	n	(P-5403)	732,543	n	(P-5403)
	219,019	am	(P-9272)	270,443	n	(P-16325/93A-9425)	370,350	re	(A-6375)		am	(P-56001)	728,212	n	(P-5403)	732,544	n	(P-5403)
	219,020	am	(P-9272)	270,444	n	(P-16325/93A-9425)	370,360	re	(A-6375)		am	(P-56001)	728,212	n	(P-5403)	732,545	n	(P-5403)
	219,021	am	(P-9272)	270,445	n	(P-16325/93A-9425)	370,370	re	(A-6375)		am	(P-56001)	728,212	n	(P-5403)	732,546	n	(P-5403)
	219,022	am	(P-9272)	270,446	n	(P-16325/93A-9425)	370,380	re	(A-6375)		am	(P-56001)	728,212	n	(P-5403)	732,547	n	(P-5403)
	219,023	am	(P-9272)	270,447	n	(P-16325/93A-9425)	370,390	re	(A-6375)		am	(P-56001)	728,212	n	(P-5403)	732,548	n	(P-5403)
	219,024	am	(P-9272)	270,448	n	(P-16325/93A-9425)	370,400	re	(A-6375)		am	(P-56001)	728,212	n	(P-5403)	732,549	n	(P-5403)
	219,025	am	(P-9272)	270,449	n	(P-16325/93A-9425)	370,410	re	(A-6375)		am	(P-56001)	728,212	n	(P-5403)	732,550	n	(P-5403)
	219,026	am	(P-9272)	270,450	n	(P-16325/93A-9425)	370,420	re	(A-6375)		am	(P-56001)	728,212	n	(P-5403)	732,551	n	(P-5403)
	219,027	am	(P-9272)	270,451	n	(P-16325/93A-9425)	370,430	re	(A-6375)		am	(P-56001)	728,212	n	(P-5403)	732,552	n	(P-5403)
	219,028	am	(P-9272)	270,452	n	(P-16325/93A-9425)	370,440	re	(A-6375)		am	(P-56001)	728,212	n	(P-5403)	732,553	n	(P-5403)
	219,029	am	(P-9272)	270,453	n	(P-16325/93A-9425)	370,450	re	(A-6375)		am	(P-56001)	728,212	n	(P-5403)	732,554	n	(P-5403)
	219,030	am	(P-9272)	270,454	n	(P-16325/93A-9425)	370,460	re	(A-6375)		am	(P-56001)	728,212	n	(P-5403)	732,555	n	(P-5403)
	219,031	am	(P-9272)	270,455	n	(P-16325/93A-9425)	370,470	re	(A-6375)		am	(P-56001)	728,212	n	(P-5403)	732,556	n	(P-5403)
	219,032	am	(P-9272)	270,456	n	(P-16325/93A-9425)	370,480	re	(A-6375)		am	(P-56001)	728,212	n	(P-5403)	732,557	n	(P-5403)
	219,033	am	(P-9272)	270,457	n	(P-16325/93A-9425)	370,490	re	(A-6375)		am	(P-56001)	728,212	n	(P-5403)	732,558	n	(P-5403)
	219,034	am	(P-9272)	270,458	n	(P-16325/93A-9425)	370,500	re	(A-6375)		am	(P-56001)	728,212	n	(P-5403)	732,559	n	(P-5403)
	219,035	am	(P-9272)	270,459	n	(P-16325/93A-9425)	370,510	re	(A-6375)		am	(P-56001)	728,212	n	(P-5403)	732,560	n	(P-5403)
	219,036	am	(P-9272)	270,460	n	(P-16325/93A-9425)	370,520	re	(A-6375)		am	(P-56001)	728,212	n	(P-5403)	732,561	n	(P-5403)
	219,037	am	(P-9272)	270,461	n	(P-16325/93A-9425)	370,530	re	(A-6375)		am	(P-56001)	728,212	n	(P-5403)	732,562	n	(P-5403)
	219,038	am	(P-9272)	270,462	n	(P-16325/93A-9425)	370,540	re	(A-6375)		am	(P-56001)	728,212	n	(P-5403)	732,563	n	(P-5403)
	219,039	am	(P-9272)	270,463	n	(P-16325/93A-9425)	370,550	re	(A-6375)		am	(P-56001)	728,212	n	(P-5403)	732,564	n	(P-5403)
	219,040	am	(P-9272)	270,464	n	(P-16325/93A-9425)	370,560	re	(A-6375)		am	(P-56001)	728,212	n	(P-5403)	732,565	n	(P-5403)
	219,041	am	(P-9272)	270,465	n	(P-16325/93A-9425)	370,570	re	(A-6375)		am	(P-56001)	728,212	n	(P-5403)	732,566	n	(P-5403)
	219,042	am	(P-9272)	270,466	n	(P-16325/93A-9425)	370,580	re	(A-6375)		am	(P-56001)	728,212	n	(P-5403)	732,567	n	(P-5403)
	219,043	am	(P-9272)	270,467	n	(P-16325/93A-9425)	370,590	re	(A-6375)		am	(P-56001)	728,212	n	(P-5403)	732,568	n	(P-5403)
	219,044	am	(P-9272)	270,468	n	(P-16325/93A-9425)	370,600	re	(A-6375)		am	(P-56001)	728,212	n	(P-5403)	732,569	n	(P-5403)
	219,045	am	(P-9272)	270,469	n	(P-16325/93A-9425)	370,610	re	(A-6375)		am	(P-56001)	728,212	n	(P-5403)	732,570	n	(P-5403)
	219,046	am	(P-9272)	270,470	n	(P-16325/93A-9425)	370,620	re	(A-6375)		am	(P-56001)	728,212	n	(P-5403)	732,571	n	(P-5403)
	219,047	am	(P-9272)	270,471	n	(P-16325/93A-9425)	370,630	re	(A-6375)		am	(P-56001)	728,2					

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am

(P-9106)

am

650.560

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170.640

(P-9858)

am

(P-9106)

am

650.60

(P-3208-A-9478)

170.650

(P-9858)

am

(P-9106)

am

650.70

(P-3208-A-9478)

170.660

(P-9858)

am

(P-9106)

am

650.80

(P-3208-A-9478)

170.670

(P-9858)

am

(P-9106)

am

650.90

(P-3208-A-9478)

170.671

(E-7016)(P-9858)

n

(P-9106)

n

650.100

(P-3208-A-9478)

170.672

(P-9106)

n

(P-9106)

n

650.110

(P-3208-A-9478)

170.673

(P-9106)

n

(P-9106)

n

650.120

(P-3208-A-9478)

170.700

(P-9106)

r,n

(P-9106)

r,n

650.130

(P-3208-A-9478)

170.705

(P-9106)

r

(P-9106)

r

650.140

(P-3208-A-9478)

170.710

(P-9106)

r

(P-9106)

r

650.150

(P-3208-A-9478)

170.720

(P-9106)

r

(P-9106)

r

650.160

(P-3208-A-9478)

170.730

(P-9106)

r

(P-9106)

r

650.170

(P-3208-A-9478)

170.740

(P-9106)

r

(P-9106)

r

650.180

(P-3208-A-9478)

170.750

(P-9106)

r

(P-9106)

r

650.190

(P-3208-A-9478)

170.760

(P-9106)

r

(P-9106)

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650.200

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JULY 22, 1994

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250,1820	am	(P-46)	340,1500	n	505,40	(P-13631/93A-533)	n	600,1110	r	(P-14806/93A-4276)	n	610,210	(P-14824/93A-4310)	n	665,120	(P-2697/93A-4296)	am
260,1830	am	(E-10391)	340,1510	n	505,50	(P-10391)	n	600,110	r	(P-14831/93A-4422)	n	610,110	(P-14824/93A-4310)	n	665,130	(P-2697/93A-4296)	am
270,1600	am	(E-10391)	340,1520	n	505,60	(P-10391)	n	600,120	r	(P-14831/93A-4422)	n	610,200	(P-14824/93A-4310)	n	665,140	(P-2697/93A-4296)	am
270,1650	n	(E-10391)	340,1530	n	505,70	(P-10391)	n	600,130	r	(P-14831/93A-4422)	n	610,210	(P-14824/93A-4310)	n	665,150	(P-2697/93A-4296)	am
270,1680	n	(E-10391)	340,1540	n	505,80	(P-10391)	n	600,200	r	(P-14806/93A-4276)	n	610,300	(P-14824/93A-4310)	n	665,160	(P-2697/93A-4296)	am
270,1700	n	(E-10391)	340,1550	n	505,90	(P-10391)	n	600,210	r	(P-14831/93A-4422)	n	610,310	(P-14824/93A-4310)	n	665,170	(P-2697/93A-4296)	am
270,1720	n	(E-10391)	340,1560	n	506,00	(P-10391)	n	600,220	r	(P-14806/93A-4276)	n	610,320	(P-14824/93A-4310)	n	665,180	(P-2697/93A-4296)	am
270,1750	n	(E-10391)	340,1570	n	506,10	(P-10391)	n	600,230	r	(P-14831/93A-4422)	n	610,330	(P-14824/93A-4310)	n	665,190	(P-2697/93A-4296)	am
270,1800	n	(E-10391)	340,1580	n	506,20	(P-10391)	n	600,240	r	(P-14831/93A-4422)	n	610,340	(P-14824/93A-4310)	n	665,200	(P-2697/93A-4296)	am
270,1820	n	(E-10391)	340,1590	n	506,30	(P-10391)	n	600,250	r	(P-14831/93A-4422)	n	610,350	(P-14824/93A-4310)	n	665,210	(P-2697/93A-4296)	am
270,1850	n	(E-10391)	340,1600	n	506,40	(P-10391)	n	600,260	r	(P-14831/93A-4422)	n	610,360	(P-14824/93A-4310)	n	665,220	(P-2697/93A-4296)	am
270,1900	n	(E-10391)	340,1610	n	506,50	(P-10391)	n	600,270	r	(P-14831/93A-4422)	n	610,370	(P-14824/93A-4310)	n	665,230	(P-2697/93A-4296)	am
270,1950	n	(E-10391)	340,1620	n	506,60	(P-10391)	n	600,280	r	(P-14831/93A-4422)	n	610,380	(P-14824/93A-4310)	n	665,240	(P-2697/93A-4296)	am
270,2000	n	(E-10391)	340,1630	n	506,70	(P-10391)	n	600,290	r	(P-14831/93A-4422)	n	610,390	(P-14824/93A-4310)	n	665,250	(P-2697/93A-4296)	am
270,2050	n	(E-10391)	340,1640	n	506,80	(P-10391)	n	600,300	r	(P-14831/93A-4422)	n	610,400	(P-14824/93A-4310)	n	665,260	(P-2697/93A-4296)	am
270,2100	n	(E-10391)	340,1650	n	506,90	(P-10391)	n	600,310	r	(P-14831/93A-4422)	n	610,410	(P-14824/93A-4310)	n	665,270	(P-2697/93A-4296)	am
270,2150	n	(E-10391)	340,1660	n	507,00	(P-10391)	n	600,320	r	(P-14831/93A-4422)	n	610,420	(P-14824/93A-4310)	n	665,280	(P-2697/93A-4296)	am
270,2200	n	(E-10391)	340,1670	n	507,10	(P-10391)	n	600,330	r	(P-14831/93A-4422)	n	610,430	(P-14824/93A-4310)	n	665,290	(P-2697/93A-4296)	am
270,2300	am	(P-4861)	340,1680	n	507,20	(P-10391)	n	600,340	r	(P-14806/93A-4276)	n	610,440	(P-14824/93A-4310)	n	665,300	(P-2697/93A-4296)	am
300,140	am	(P-12205/93A-1491)	340,1810	n	507,30	(E-10391)	n	600,350	r	(P-14831/93A-4422)	n	610,450	(P-14824/93A-4310)	n	665,310	(P-2697/93A-4296)	am
300,150	am	(P-12205/93A-1491)	340,1820	n	507,40	(E-10391)	n	600,360	r	(P-14831/93A-4422)	n	610,460	(P-14824/93A-4310)	n	665,320	(P-2697/93A-4296)	am
300,160	am	(P-12205/93A-1491)	340,1830	n	507,50	(E-10391)	n	600,370	r	(P-14831/93A-4422)	n	610,470	(P-14824/93A-4310)	n	665,330	(P-2697/93A-4296)	am
300,180	am	(P-12205/93A-1491)	340,1840	n	507,60	(E-10391)	n	600,400	r	(P-14806/93A-4276)	n	610,510	(P-14824/93A-4310)	n	665,340	(P-2697/93A-4296)	am
300,282	am	(P-12205/93A-1491)	340,1850	n	507,70	(E-10391)	n	600,410	r	(P-14831/93A-4422)	n	610,520	(P-14824/93A-4310)	n	665,350	(P-2697/93A-4296)	am
300,3030	am	(P-4861)	340,1600	n	507,80	(E-10391)	n	600,420	r	(P-14831/93A-4422)	n	610,530	(P-14824/93A-4310)	n	665,360	(P-2697/93A-4296)	am
300,6300	am	(P-4861)	340,1910	n	507,90	(E-10391)	n	600,430	r	(P-14806/93A-4276)	n	610,540	(P-14824/93A-4310)	n	665,370	(P-2697/93A-4296)	am
300,10300	am	(P-4861)	340,1920	n	508,00	(E-10391)	n	600,440	r	(P-14831/93A-4422)	n	610,550	(P-14824/93A-4310)	n	665,380	(P-2697/93A-4296)	am
300,3260	am	(P-12205/93A-1491)	340,1930	n	508,10	(E-10391)	n	600,450	r	(P-14831/93A-4422)	n	610,560	(P-14824/93A-4310)	n	665,390	(P-2697/93A-4296)	am
300,2860	am	(P-12188/93A-1475)	340,1940	n	508,20	(E-10391)	n	600,460	r	(P-14806/93A-4276)	n	610,570	(P-14824/93A-4310)	n	665,400	(P-2697/93A-4296)	am
330,120	am	(P-12188/93A-1475)	340,1950	n	508,30	(E-10391)	n	600,500	r	(P-14831/93A-4422)	n	610,600	(P-14824/93A-4310)	n	665,420	(P-2697/93A-4296)	am
330,140	am	(P-12188/93A-1475)	340,1960	n	508,40	(E-10391)	n	600,510	r	(P-14831/93A-4422)	n	610,610	(P-14824/93A-4310)	n	665,430	(P-2697/93A-4296)	am
330,160	am	(P-12188/93A-1475)	340,1970	n	508,50	(E-10391)	n	600,520	r	(P-14806/93A-4276)	n	610,620	(P-14824/93A-4310)	n	665,440	(P-2697/93A-4296)	am
330,180	am	(P-12188/93A-1475)	340,2000	n	508,60	(E-10391)	n	600,530	r	(P-14831/93A-4422)	n	610,630	(P-14824/93A-4310)	n	665,450	(P-2697/93A-4296)	am
330,160	am	(P-12188/93A-1475)	340,2010	n	508,70	(E-10391)	n	600,540	r	(P-14831/93A-4422)	n	610,640	(P-14824/93A-4310)	n	665,460	(P-2697/93A-4296)	am
330,730	am	(P-4861)	340,2020	n	508,80	(E-10391)	n	600,550	r	(P-14831/93A-4422)	n	610,650	(P-14824/93A-4310)	n	665,470	(P-2697/93A-4296)	am
330,4260	am	(P-4861)	340,2030	n	508,90	(E-10391)	n	600,560	r	(P-14831/93A-4422)	n	610,660	(P-14824/93A-4310)	n	665,480	(P-2697/93A-4296)	am
330,282	am	(P-12188/93A-1475)	340,2040	n	509,00	(E-10391)	n	600,570	r	(P-14831/93A-4422)	n	610,670	(P-14824/93A-4310)	n	665,490	(P-2697/93A-4296)	am
340,1010	n	(E-10391)	340,2050	n	509,10	(E-10391)	n	600,580	r	(P-14831/93A-4422)	n	610,680	(P-14824/93A-4310)	n	665,500	(P-2697/93A-4296)	am
340,1110	n	(E-10391)	340,2060	n	509,20	(E-10391)	n	600,590	r	(P-14831/93A-4422)	n	610,690	(P-14824/93A-4310)	n	665,510	(P-2697/93A-4296)	am
340,1110	n	(E-10391)	340,2070	n	509,30	(E-10391)	n	600,600	r	(P-14831/93A-4422)	n	610,700	(P-14824/93A-4310)	n	665,520	(P-2697/93A-4296)	am
340,1110	n	(E-10391)	340,2080	n	509,40	(E-10391)	n	600,610	r	(P-14831/93A-4422)	n	610,710	(P-14824/93A-4310)	n	665,530	(P-2697/93A-4296)	am
340,1110	n	(E-10391)	340,2090	n	509,50	(E-10391)	n	600,620	r	(P-14831/93A-4422)	n	610,720	(P-14824/93A-4310)	n	665,540	(P-2697/93A-4296)	am
340,1110	n	(E-10391)	340,2100	n	509,60	(E-10391)	n	600,630	r	(P-14831/93A-4422)	n	610,730	(P-14824/93A-4310)	n	665,550	(P-2697/93A-4296)	am
340,1110	n	(E-10391)	340,2110	n	509,70	(E-10391)	n	600,640	r	(P-14831/93A-4422)	n	610,740	(P-14824/93A-4310)	n	665,560	(P-2697/93A-4296)	am
340,1110	n	(E-10391)	340,2120	n	509,80	(E-10391)	n	600,650	r	(P-14831/93A-4422)	n	610,750	(P-14824/93A-4310)	n	665,570	(P-2697/93A-4296)	am
340,1110	n	(E-10391)	340,2130	n	509,90	(E-10391)	n	600,660	r	(P-14831/93A-4422)	n	610,760	(P-14824/93A-4310)	n	665,580	(P-2697/93A-4296)	am
340,1110	n	(E-10391)	340,2140	n	509,00	(E-10391)	n	600,670	r	(P-14831/93A-4422)	n	610,770	(P-14824/93A-4310)	n	665,590	(P-2697/93A-4296)	am
340,1110	n	(E-10391)	340,2150	n	509,10	(E-10391)	n	600,680	r	(P-14831/93A-4422)	n	610,780	(P-14824/93A-4310)	n	665,600	(P-2697/93A-4296)	am
340,1110	n	(E-10391)	340,2160	n	509,20	(E-10391)	n	600,690	r	(P-14831/93A-4422)	n	610,790	(P-14824/93A-4310)	n	665,610	(P-2697/93A-4296)	am
340,1110	n	(E-10391)	340,2170	n	509,30	(E-10391)	n	600,700	r	(P-14831/93A-4422)	n	610,800	(P-14824/93A-4310)	n	665,620	(P-2697/93A-4296)	am
340,1110	n	(E-10391)	340,2180	n	509,40	(E-10391)	n	600,710	r	(P-14831/93A-4422)	n	610,810	(P-14824/93A-4310)	n	665,630	(P-2697/93A-4296)	am
340,1110	n	(E-10391)	340,2190	n	509,50	(E-10391)	n	600,720	r	(P-14831/93A-4422)	n	610,820	(P-14824/93A-4310)	n	665,640	(P-2697/93A-4296)	am
340,1110	n	(E-10391)	340,2200	n	509,60	(E-10391)	n	600,730	r	(P-14831/93A-4422)	n	610,830	(P-14824/93A-4310)	n	665,650	(P-2697/93A-4296)	am
340,1110	n	(E-10391)	340,2210	n	509,70	(E-10391)	n	600,740	r	(P-14831/93A-4422)	n	610,840	(P-14824/93A-4310)	n	665,660	(P-2697/93A-4296)	am
340,1110	n	(E-10391)	340,2220	n	509,80	(E-10391)	n	600,750	r	(P-14831/93A-4422)	n	610,850	(P-14824/93A-4310)	n	665,670	(P-2697/93A-4296)	am
340,1110	n	(E-10391)	340,2230	n	509,90	(E-10391)	n	600,760	r	(P-14831/93A-4422)	n	610,860	(P-14824/93A-4310)	n	665,680	(P-2697/93A-4296)	am
340,1110	n	(E-10391)	340,2240	n	509,00	(E-10391)	n	600,770	r	(P-14831/93A-4422)	n	610,870	(P-14824/93A-4310)	n	665,690	(P-2697/93A-4296)	am
340,1110	n	(E-10391)	340,2250	n	509,10	(E-10391)	n	600,780	r	(P-14831/93A-4422)	n	610,880	(P-14824/93A-4310)	n	665,700	(P-2697/93A-4296)	am
340,1110	n	(E-10391)	340,2260	n	509,20	(E-10391)	n	600,790	r	(P-14831/93A-4422)	n	610,890	(P-14824/93A-4310)	n	665,710	(P-2697/93A-4296)	am
340,1110	n	(E-10391)	340,2270	n	509,30	(E-10391)	n	600,800	r	(P-14831/93A-4422)	n	610,900	(P-14824/93A-4310)	n	665,720	(P-2697/93A-4296)	am
340,1110	n	(E-10391)	340,2280	n	509,40	(E-10391)	n	600,810	r	(P-1483							

SAI-18

SAI-19

(Title 89, cont.)	431.3	am	(CC-7951)	14,925	am	(P-5796)	(Title 92, cont.)	1060.160	am	(P-142-A-7788)	1375.7100	r	(P-8635/93-A-1927)
r	380.2	r	(P-8779)	14,930	am	(P-5796)	444.5	1060.170	am	(P-142-A-7788)	1375.7110	r	(P-8635/93-A-1927)
r	380.3	am	(CC-7951)	14,940	am	(P-5796)	444.10	1060.180	am	(P-142-A-7788)	1375.7120	am	(P-8635/93-A-1927)
r	380.4	am	(CC-7951)	14,945	am	(P-5796)	444.15	1060.190	am	(P-142-A-7788)	1375.7130	am	(P-8635/93-A-1927)
r	380.5	am	(CC-7951)	14,950	am	(P-5796)	444.20	1060.200	am	(P-142-A-7788)	1375.7140	am	(P-8635/93-A-1927)
r	380.6	am	(CC-7951)	14,955	am	(P-5796)	450.110	1070.40	am	(P-217-A-10309)	1375.7150	am	(P-8635/93-A-1927)
r	380.7	am	(CC-7951)	14,960	am	(P-5796)	450.120	1070.60	am	(P-217-A-10309)	1375.7160	am	(P-8635/93-A-1927)
r	380.8	am	(CC-7951)	14,965	am	(P-5796)	450.130	1070.80	am	(P-217-A-10309)	1375.7170	am	(P-8635/93-A-1927)
r	380.9	am	(CC-7951)	14,970	am	(P-5796)	450.220	1070.90	am	(EC-3016)	1375.7175	am	(P-8635/93-A-1927)
r	381.0	am	(CC-7951)	14,975	am	(P-5796)	456.60	1070.90	am	(P-217-A-10309)	1375.7180	am	(P-8635/93-A-1927)
r	381.1	am	(CC-7951)	14,980	am	(P-5796)	456.70	1070.100	am	(P-217-A-10309)	1375.7190	am	(P-8635/93-A-1927)
r	381.2	am	(CC-7951)	14,985	am	(P-5796)	457.1000	1205.10	am	(P-21250/93-A-11155)	1375.7200	am	(P-8635/93-A-1927)
r	381.3	am	(CC-7951)	14,985	am	(P-5796)	457.1010	1205.110	am	(P-21250/93-A-11155)	1375.7210	am	(P-8635/93-A-1927)
r	381.4	am	(CC-7951)	14,985	am	(P-5796)	457.1020	1205.120	am	(P-21250/93-A-11155)	1375.7220	am	(P-8635/93-A-1927)
r	381.5	am	(P-76551)	518.20	am	(P-5796)	518.750	1205.200	n	(P-8635/93-A-1924)	1375.7230	am	(P-8635/93-A-1927)
r	381.6	am	(P-76551)	14,998	am	(P-5796)	518.750	1236.10	n	(P-8635/93-A-1924)	1375.7240	am	(P-8635/93-A-1927)
r	381.7	n	(P-76551)	14,998	am	(P-5796)	533.10	1375.15	am	(P-8635/93-A-1927)	1375.7250	am	(P-8635/93-A-1927)
r	381.8	am	(P-76551)	107.320	am	(P-5796)	533.20	1375.15	am	(P-8635/93-A-1927)	1375.7260	am	(P-8635/93-A-1927)
r	381.9	n	(CC-7951)	107.325	am	(P-5796)	533.30	1375.20	am	(P-8635/93-A-1927)	1375.7270	am	(P-8635/93-A-1927)
r	382.0	am	(CC-7951)	107.103	am	(P-5796)	533.40	1375.30	am	(P-8635/93-A-1927)	1375.7280	am	(P-8635/93-A-1927)
r	382.1	am	(CC-7951)	107.105	am	(P-5796)	533.50	1375.40	am	(P-8635/93-A-1927)	1375.7290	am	(P-8635/93-A-1927)
r	382.2	am	(CC-7951)	107.110	am	(P-5796)	533.60	1375.50	am	(P-8635/93-A-1927)	1375.7300	am	(P-8635/93-A-1927)
r	382.3	am	(CC-7951)	107.123	am	(P-5796)	533.70	1375.60	am	(P-8635/93-A-1927)	1375.7310	am	(P-8635/93-A-1927)
r	382.4	am	(CC-7951)	107.125	am	(P-5796)	533.80	1375.70	am	(P-8635/93-A-1927)	1375.7320	am	(P-8635/93-A-1927)
r	382.5	am	(CC-7951)	107.130	am	(P-5796)	533.90	1375.80	am	(P-8635/93-A-1927)	1375.7330	am	(P-8635/93-A-1927)
r	382.6	am	(CC-7951)	107.135	am	(P-5796)	600.10	1375.80	am	(P-8635/93-A-1927)	1375.7340	am	(P-8635/93-A-1927)
r	382.7	am	(P-7115/93-A-6697)	107.601	am	(P-5796)	600.20	1375.85	am	(P-8635/93-A-1927)	1375.7350	n	(P-8635/93-A-1927)
r	382.8	am	(P-7115/93-A-6697)	171.4	#	(P-5796)	600.30	1375.1000	am	(P-8635/93-A-1927)	1375.7360	n	(P-8635/93-A-1927)
r	382.9	am	(P-7115/93-A-6697)	171.5	am	(P-5796)	600.40	1375.1010	am	(P-8635/93-A-1927)	1375.7370	n	(P-8635/93-A-1927)
r	383.0	am	(P-7115/93-A-6697)	171.15	am	(P-5796)	600.50	1375.1020	am	(P-8635/93-A-1927)	1375.7380	am	(P-8635/93-A-1927)
r	383.1	am	(P-7115/93-A-6697)	171.17	#	(P-5796)	600.60	1375.1030	am	(P-8635/93-A-1927)	1375.7390	am	(P-8635/93-A-1927)
r	383.2	#	(P-7115/93-A-6697)	171.21	#	(P-5796)	600.70	1375.1040	am	(P-8635/93-A-1927)	1375.7400	am	(P-8635/93-A-1927)
r	383.3	am	(P-7115/93-A-6697)	171.21	am	(P-5796)	600.80	1375.1050	am	(P-8635/93-A-1927)	1375.7410	am	(P-8635/93-A-1927)
r	383.4	am	(P-7115/93-A-6697)	171.1000	am	(P-5796)	600.90	1375.1060	am	(P-8635/93-A-1927)	1375.7420	n	(P-8635/93-A-1927)
r	383.5	am	(P-8771)	172.2000	am	(P-5796)	601.00	1375.1070	am	(P-8635/93-A-1927)	1375.7430	n	(P-8635/93-A-1927)
r	383.6	am	(P-7115/93-A-6697)	172.2215	am	(P-5796)	601.10	1375.1080	am	(P-8635/93-A-1927)	1375.7440	n	(P-8635/93-A-1927)
r	383.7	am	(P-7115/93-A-6697)	173.5000	am	(P-5796)	601.20	1375.1090	am	(P-8635/93-A-1927)	1375.7450	am	(P-8635/93-A-1927)
r	383.8	am	(P-7115/93-A-6697)	177.2000	am	(P-5796)	601.30	1375.1100	am	(P-8635/93-A-1927)	1375.7460	am	(P-8635/93-A-1927)
r	383.9	am	(P-7115/93-A-6697)	178.2000	am	(P-5796)	601.40	1375.1110	am	(P-8635/93-A-1927)	1375.7470	am	(P-8635/93-A-1927)
r	384.0	am	(P-7115/93-A-6697)	179.2000	am	(P-5796)	700.20	1375.1120	am	(P-8635/93-A-1927)	1375.7480	am	(P-8635/93-A-1927)
r	384.1	am	(P-5611)	180.2000	am	(P-5796)	700.75	1375.1130	am	(P-8635/93-A-1927)	1375.7490	am	(P-8635/93-A-1927)
r	384.2	am	(P-7579)	386.1000	am	(P-5796)	700.75	1375.1140	am	(P-8635/93-A-1927)	1375.7500	am	(P-8635/93-A-1927)
r	384.3	am	(P-846-A-11623)	390.1010	am	(P-5796)	700.75	1375.1150	am	(P-8635/93-A-1927)	1375.7510	am	(P-8635/93-A-1927)
r	384.4	am	(P-846-A-11623)	390.1020	am	(P-5796)	708.60	1375.1160	am	(P-8635/93-A-1927)	1375.7520	am	(P-8635/93-A-1927)
r	384.5	am	(P-846-A-11623)	390.1030	am	(P-5796)	708.60	1375.1170	am	(P-8635/93-A-1927)	1375.7530	am	(P-8635/93-A-1927)
r	384.6	am	(P-846-A-11623)	390.1040	am	(P-5796)	1001.410	1375.2010	am	(P-7731)	1375.2020	am	(P-8635/93-A-1927)
r	384.7	am	(P-846-A-11623)	390.1010	am	(P-5796)	1001.441	1375.2030	am	(P-7731)	1375.2040	am	(P-8635/93-A-1927)
r	384.8	am	(P-846-A-11623)	390.1010	am	(P-5796)	1001.442	1375.2050	am	(P-7731)	1375.2060	am	(P-8635/93-A-1927)
r	384.9	am	(P-846-A-11623)	390.1010	am	(P-5796)	1001.443	1375.2070	am	(P-7731)	1375.2080	am	(P-8635/93-A-1927)
r	385.0	am	(P-846-A-11623)	390.1020	am	(P-5796)	1030.95	1375.2090	am	(P-7731)	1375.2100	am	(P-8635/93-A-1927)
r	385.1	am	(P-846-A-11623)	390.1030	am	(P-5796)	1030.95	1375.2110	am	(P-7731)	1375.2120	am	(P-8635/93-A-1927)
r	385.2	am	(P-846-A-11623)	390.1040	am	(P-5796)	1040.20	1375.2130	am	(P-7731)	1375.2140	am	(P-8635/93-A-1927)
r	385.3	am	(P-846-A-11623)	390.1050	am	(P-5796)	1040.35	1375.2150	am	(P-7731)	1375.2160	am	(P-8635/93-A-1927)
r	385.4	am	(P-846-A-11623)	390.1060	am	(P-5796)	1040.43	1375.2170	am	(P-7731)	1375.2180	am	(P-8635/93-A-1927)
r	385.5	am	(P-846-A-11623)	390.1070	am	(P-5796)	1060.10	1375.3030	am	(P-8635/93-A-1927)	1375.3040	am	(P-8635/93-A-1927)
r	385.6	am	(P-846-A-11623)	390.1080	am	(P-5796)	1060.20	1375.4010	am	(P-8635/93-A-1927)	1375.4020	am	(P-8635/93-A-1927)
r	385.7	am	(P-846-A-11623)	390.1090	am	(P-5796)	1060.30	1375.5010	am	(P-8635/93-A-1927)	1375.5020	am	(P-8635/93-A-1927)
r	385.8	am	(P-846-A-11623)	390.1100	am	(P-5796)	1060.40	1375.6010	am	(P-8635/93-A-1927)	1375.6020	am	(P-8635/93-A-1927)
r	385.9	am	(P-846-A-11623)	390.1110	am	(P-5796)	1060.50	1375.7020	am	(P-8635/93-A-1927)	1375.7030	am	(P-8635/93-A-1927)
r	386.0	am	(P-846-A-11623)	390.1120	am	(P-5796)	1060.60	1375.8030	am	(P-8635/93-A-1927)	1375.8040	am	(P-8635/93-A-1927)
r	386.1	am	(P-846-A-11623)	390.1130	am	(P-5796)	1060.70	1375.9040	am	(P-8635/93-A-1927)	1375.9050	am	(P-8635/93-A-1927)
r	386.2	am	(P-846-A-11623)	390.1140	am	(P-5796)	1060.80	1376.0050	am	(P-8635/93-A-1927)	1376.0060	am	(P-8635/93-A-1927)
r	386.3	am	(P-846-A-11623)	390.1150	am	(P-5796)	1060.90	1376.1060	am	(P-8635/93-A-1927)	1376.1070	am	(P-8635/93-A-1927)
r	386.4	am	(P-846-A-11623)	390.1160	am	(P-5796)	1061.00	1376.2070	am	(P-8635/93-A-1927)	1376.2080	am	(P-8635/93-A-1927)
r	386.5	am	(P-846-A-11623)	390.1170	am	(P-5796)	1061.10	1376.3080	am	(P-8635/93-A-1927)	1376.3090	am	(P-8635/93-A-1927)
r	386.6	am	(P-846-A-11623)	390.1180	am	(P-5796)	1061.20	1376.4090	am	(P-8635/93-A-1927)	1376.4100	am	(P-8635/93-A-1927)
r	386.7	am	(P-846-A-11623)	390.1190	am	(P-5796)	1061.30	1376.5100	am	(P-8635/93-A-1927)	1376.5110	am	(P-8635/93-A-1927)
r	386.8	am	(P-846-A-11623)	390.1200	am	(P-5796)	1061.40	1376.6110	am	(P-8635/93-A-1927)	1376.6120	am	(P-8635/93-A-1927)
r	386.9	am	(P-846-A-11623)	390.1210	am	(P-5796)	1061.50	1376.7120	am	(P-8635/93-A-1927)	1376.7130	am	(P-8635/93-A-1927)
r	387.0	am	(P-846-A-11623)	390.1220	am	(P-5796)	1061.60	1376.8130	am	(P-8635/93-A-1927)	1376.8140	am	(P-8635/93-A-1927)
r	387.1	am	(P-846-A-11623)	390.1230	am	(P-5796)	1061.70	1376.9140	am	(P-8635/93-A-1927)	1376.9150	am	(P-8635/93-A-1927)
r	387.2	am	(P-846-A-11623)	390.1240	am	(P-5796)	1061.80	1377.0150	am	(P-8635/93-A-1927)	1377.0160	am	(P-8635/93-A-1927)
r	387.3	am	(P-846-A-11623)	390.1250	am	(P-5796)	1061.90	1377.1160	am	(P-8635/93-A-1927)	1377.1170	am	(P-8635/93-A-1927)
r	387.4	am	(P-846-A-11623)	390.1260	am	(P-5796)	1062.00	1377.2170	am	(P-8635/93-A-1927)	1377.2180	am	(P-8635/93-A-1927)
r	387.5	am	(P-846-A-11623)	390.1270	am	(P-5796)	1062.10	1377.3180	am	(P-8635/93-A-1927)	1377.3190	am	(P-8635/93-A-1927)
r	387.6	am	(P-846-A-11623)	390.1280	am	(P-5796)	1062.20	1377.4190	am	(P-8635/93-A-1927)	1377.4200	am	(P-8635/93-A-1927)
r	387.7	am	(P-846-A-11623)	390.1290	am	(P-5796)	1062.30	1377.5200	am	(P-8635/93-A-1927)	1377.5210	am	(P-8635/93-A-1927)
r	387.8	am	(P-846-A-11623)	390.1300	am	(P-5796)	1062.40	1377.6210	am	(P-8635/93-A-1927)	1377.6220	am	(P-

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